

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**PUBLIC ASSEMBLY ROOM  
2ND FLOOR CITY-COUNTY BUILDING  
1:00 P.M.**

**STAFF REPORTS FOR MAY 15, 2014**

**These reports do not in any way commit the Hearing Examiner  
to approve or disapprove any petition filed before it.**

Any decision of the Hearing Examiner may be appealed to the full Metropolitan Development Commission, subject to deadlines prescribed by the Metropolitan Development Commission, rules of procedure. Please contact the Current Planning staff, 327-5155, within the first or second day after the hearing, to determine the appropriate appeal procedures.

| <b>PETITION NO.</b>              | <b>PETITION ADDRESS AND LOCATION</b>   | <b>PAGE</b> |
|----------------------------------|--|-------------|
| <b>EXPEDITED PETITIONS:</b>      |  |             |
| 2014-APP-002<br>2014-VAR-002     | 1550 (1440 BUILDING) EAST COUNTY LINE ROAD<br>PERRY TOWNSHIP, CD # 24  | 3           |
| 2014-APP-005                     | 7229 CLEARVISTA DRIVE<br>LAWRENCE TOWNSHIP, CD # 5   | 9           |
| 2014-ZON-016                     | 425 WEST SOUTH STREET<br>CENTER TOWNSHIP, CD # 19  | 17          |
| <b>CONTINUED PETITIONS:</b>      |  |             |
| 2014-ZON-003                     | 1925 AND 2104 STOP 12 ROAD<br>PERRY TOWNSHIP, CD # 24  | 20          |
| 2014-ZON-010                     | 4718 FALL CREEK PARKWAY, NORTH DRIVE AND 3114<br>EAST 46 <sup>TH</sup> STREET<br>WASHINGTON TOWNSHIP, CD # 4 | 26          |
| 2014-ZON-013                     | 9185 WEST 10 <sup>TH</sup> STREET<br>WAYNE TOWNSHIP, CD # 13   | 35          |
| 2014-CZN-807**<br>2014-CVR-807** | 1635 EAST SOUTHPORT ROAD AND 7004 MADISON<br>AVENUE; PERRY TOWNSHIP, CD # 24                                 | 42          |
| <b>NEW PETITIONS:</b>            |  |             |
| 2014-ZON-017                     | 2460 NORTH DELAWARE STREET<br>CENTER TOWNSHIP, CD # 15   | 43          |
| 2014-ZON-018*                    | 3009 EAST 96 <sup>TH</sup> STREET<br>WASHINGTON TOWNSHIP, CD # 3   | 49          |

|                                |  |    |
|--------------------------------|--|----|
| 2014-ZON-019                   | 3718 WEST 86 <sup>TH</sup> STREET<br>PIKE TOWNSHIP, CD # 1   | 50 |
| 2014-ZON-022                   | 6300 SOUTHEASTERN AVENUE, 2402 HUNTER ROAD AND<br>6221 EAST RAYMOND STREET<br>WARREN TOWNSHIP, CD # 25   | 55 |
| 2014-CZN-810*<br>2014-CVR-810* | 2810 EAST NEW YORK STREET<br>CENTER TOWNSHIP, CD # 16  | 69 |
| 2014-CAP-811<br>2014-CVR-811   | 1623, 1633, 1643 AND 1649 EAST HANNA AVENUE, 4025<br>AND 4029 MATTHEWS AVENUE AND 4020 AND 4026 SOUTH<br>STATE AVENUE; PERRY TOWNSHIP, CD # 23 | 70 |

\*Automatic Continuance \*\* Continuance Requested \*\*\* Withdrawal or Dismissal Requested

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Petition Number(s):** 2014-APP-002 / 2014-VAR-002  
**General Location:** 1550 (1440-building) East County Line Road (*Approximate Address*)  
Indianapolis  
**Township(s):** Perry  
**Council District(s):** 24  
**Zoning District(s):** HD-2  
**Petitioner/Agent:** Community Hospital Foundation, Inc., by Alexander T. Sulanke  
**Request(s):** Hospital District Two Approval to provide for:

- a) a 4.5-foot tall, 38.25-square foot freestanding sign and two 10.17-foot tall, 36-square foot freestanding signs, and
- b) a 115-square foot wall sign and logo, an 18-square foot address wall sign, a 6.25-square foot building number wall sign and a 4.55-square foot clearance wall sign.

Variance of development standards of the Sign Regulations to provide for:

- a) a 4.5-foot tall sign within approximately 170 feet of a D-P protected district to the north (maximum four-foot tall sign permitted within 600 feet of a protected district), and
- b) two 10.17-foot tall, 36-square foot freestanding directional signs (maximum 2.5-foot tall, six-square foot directional signs permitted).

### RECOMMENDATIONS

Staff **recommends approval** of this petition, subject to the site plan, file-dated February 27, 2014 and the elevations, file-dated February 27, 2014.

### SUMMARY OF ISSUES

The following information was considered in formulating the recommendation:

#### LAND USE

- ◇ The 38-acre subject site is zoned HD-2 and is improved with a hospital campus (Exhibit 1). The hospital building associated with this request was recently constructed (Exhibit 2). HD-1 and HD-2-zoned hospital uses abut the site to the east and south. West of the site is zoned HD-2, though it is unimproved. An apartment complex is north of the site, zoned D-P.

(Continued)

**STAFF REPORT 2014-APP/VAR-002 (Continued)**

**APPROVAL REQUEST**

- ◇ This request would provide for the approval of four wall signs and three freestanding signs associated with the newly constructed building (2014-APP-002 – Elevations). The four wall signs would be located on the southeast façade of the building, while the freestanding signs would generally be south of the building, abutting the adjacent driveway and parking area. The wall signs being requested have already been installed.
- ◇ The wall signs would include a building identification sign, a clearance sign above a canopy area, and two address signs. These signs would face southeast, towards the primary hospital campus area, and would not be particularly impactful.
- ◇ One of the freestanding signs would serve as a building identification sign, while two would serve as directional signs. These signs would require variances because of their proximity to the D-P District to the north, a protected district. Each of these signs would be completely obscured from the adjacent protected district by the hospital building.
- ◇ The directional signs would also exceed the allowable height for directional signage set forth in the Sign Regulations. These signs, however, would provide an appropriate aesthetic, consistent with other directional signage throughout the hospital campus, and would remain scaled appropriately in staff’s estimation.
- ◇ Pursuant to the findings above, staff recommends approval of this request.

**GENERAL INFORMATION**

**EXISTING ZONING AND LAND USE**

HD-2                      Medical building and parking lot

**SURROUNDING ZONING AND LAND USE**

|         |      |                          |
|---------|------|--------------------------|
| North - | D-P  | Multi-family residential |
| South - | HD-2 | Hospital campus          |
| East -  | HD-1 | Hospital campus          |
| West -  | HD-2 | Unimproved               |

**COMPREHENSIVE PLAN**

Recommends special use.

**THOROUGHFARE PLAN**

County Line Road is a primary arterial, with a 100-foot existing right-of-way and a 140-foot proposed right-of-way.

**ZONING HISTORY**

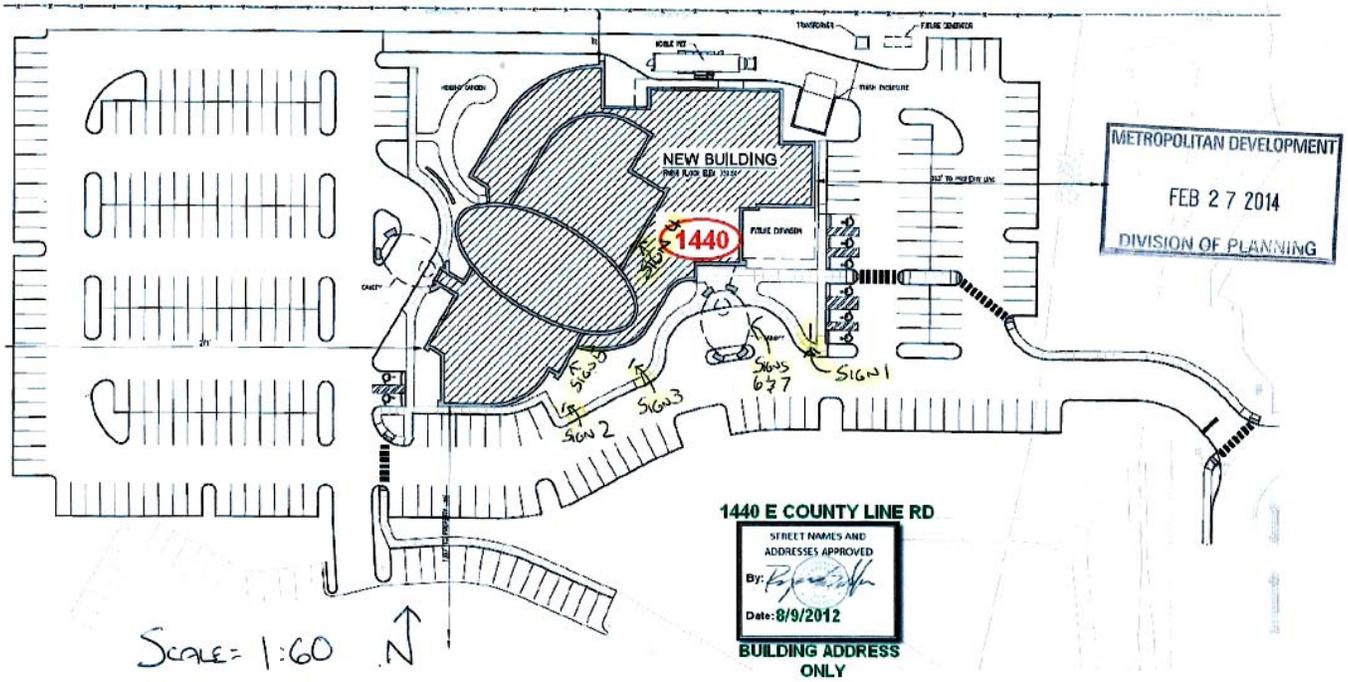
**2012-APP-016; 1350 East County Line Road (subject site);** requests HD-2 Approval to provide for the construction of a 57,500-square foot medical office building, **approved.**

MDC

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2014-APP/VAR-002 – Site Plan



2014-APP/VAR-002 – Elevations

|                   |               |                  |
|-------------------|---------------|------------------|
| Project:          | Account Rep:  | Client Approval: |
| CHN               | Danny Gayde   |                  |
| Address:          | Request I.D.: |                  |
| County Line Road. |               |                  |
| City / State:     | Design Date:  |                  |

1) Wall Signs

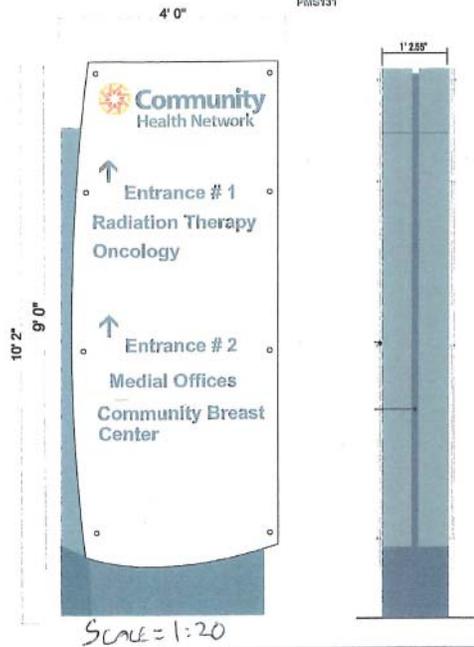
NON ILLUMINATED SIGN CABINET  
 CONSTRUCTED FROM ALUMINUM  
 SQ. TUBING AND .090 SHEETING  
 TWO PIECES OF 3/8" CAST ACRYLIC  
 ATTACHED TOO BOTH SIDES OF CABINET  
 WITH TAMPER PROOF STANDOFFS  
 COPY IS BLACK VINYL, AND WILL BE APPLIED  
 TO FIRST SURFACE  
 BACK FACE IS BLANK  
 COLORS ARE:  
 PMS COOL GREY 9  
 PMS COOL GREY 11  
 PMS 130  
 PMS131

SCALE = 1:30



2) Freestanding identification sign

NON ILLUMINATED SIGN CABINET  
 CONSTRUCTED FROM ALUMINUM  
 SQ. TUBING AND .080 SHEETING  
 TWO PIECES OF .75 R-CAST ACRYLIC  
 ATTACHED TOO BOTH SIDES OF CABINET  
 WITH TAMPER PROOF STANDOFFS  
 COPY IS BLACK VINYL AND WILL BE APPLIED  
 TO FIRST SURFACE  
 BACK SIDE FACE OF SIGN IS BLANK  
 COLORS ARE:  
 PMS COOL GREY 9  
 PMS COOL GREY 11  
 PMS 130  
 PMS131



Project: CHN South

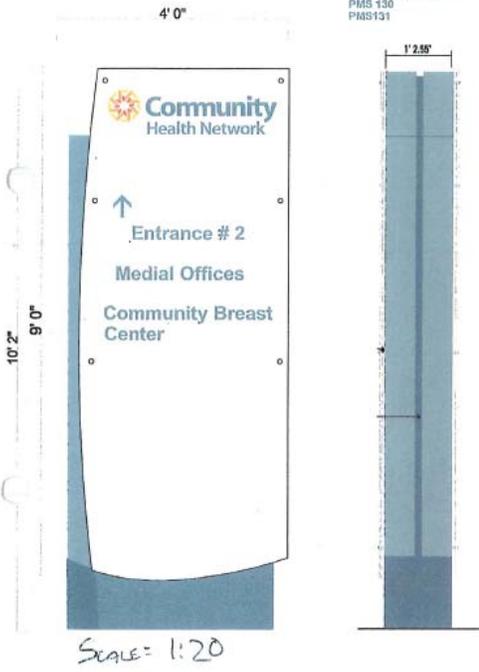
Account Rep: Danny Gayde

Client Approval:

### 3) 1 of 2 directional sign

TWO PIECES OF .75 R-CAST ACRYLIC  
 ATTACHED TOO BOTH SIDES OF CABINET  
 WITH TAMPER PROOF STANDOFFS  
 COPY IS BLACK VINYL AND WILL BE APPLIED  
 TO FIRST SURFACE  
 BACK SIDE FACE OF SIGN IS BLANK  
 COLORS ARE:  
 PMS COOL GREY 9  
 PMS COOL GREY 11  
 PMS 130  
 PMS131

Sign 2



Project: CHN South

Account Rep: Danny Gayde

Client Approval:

### 4) 2 of 2 directional sign

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Petition Number(s):** 2014-APP-005  
**General Location:** 7229 Clearvista Drive (*Approximate Addresses*)  
**Township(s):** Lawrence  
**Council District(s):** 5  
**Zoning District(s):** HD-1  
**Petitioner/Agent:** Community Health Network Foundation, Inc., by Timothy H. Button  
**Request(s):** Hospital District One Approval to provide for the construction of an approximately 4,100-square foot oncology annex, with additional parking and with sidewalks constructed elsewhere on the Community Hospital Campus, subject to Administrator's Approval.

### **RECOMMENDATIONS**

Staff **recommends approval** of this petition, subject to the site plan, file-dated April 10, 2014 and the following condition:

A pedestrian plan shall be submitted for and subject to Administrator's approval, prior to the issuance of an Improvement Location Permit.

### **SUMMARY OF ISSUES**

The following information was considered in formulating the recommendation:

#### **LAND USE**

- ◇ The approximately five-acre site is zoned HD-1 and is improved with a medical building (Exhibit 1) and parking lot. It is abutted to the north by the Community Hospital campus (Exhibit 2), zoned HD-1; to the south by athletic fields (Exhibit 3) and Lawrence North High School, zoned SU-2; to the east by a hospital parking lot, zoned HD-1; and to the west by multi-family dwellings (Exhibit 4), zoned D-P.

#### **APPROVAL REQUEST**

- ◇ The Special Districts Zoning Ordinance (SDZO) requires Commission Approval for projects within the HD-1 zoning district. No specific development standards are included in the HD-1 District. In review of the proposed site and development plan, the Commission shall assess whether the site and development plan, proposed use, buildings and structures shall:

(Continued)

## **STAFF REPORT 2014-APP-005 (Continued)**

- a) Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan of Marion County, Indiana;
  - b) Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the hospital district and with adjacent uses;
  - c) Provide sufficient and adequate access, parking and loading areas;
  - d) Provide traffic control and street plan integration with existing and planned public streets and interior roads;
  - e) Provide adequately for sanitation, drainage and public utilities;
  - f) Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana; and
  - g) Provide sidewalks along eligible public streets, excepting interstate, expressway, freeway, as indicated in the current Official Thoroughfare Plan for Marion County, Indiana, and other full control of access frontages as determined by the Administrator; and, pedestrian accessibility to available public transit.
- ◇ This proposal would provide for a 4,100-square foot building addition to the existing cancer center building (2014-APP-005 – Site Plan). The addition would be located south and west of the existing structure over an existing parking lot (Exhibit 5). The addition would be connected via a covered walkway.
- ◇ In addition to the proposed building addition, the existing parking lot north of the structure along Clearvista Drive would be expanded by 31 spaces. These additional spaces would compensate for the 18 spaces south of the building removed for the 4,100-square foot addition.
- ◇ Staff believes that the proposal would meet the aims of the HD-1 District. At 4,100 square feet, the addition would be reasonably small and would not prove impactful on adjoining property. The expanded parking would be similarly innocuous, as an ample setback from Clearvista Drive would be provided and landscaping between the parking area and the street would be enhanced.

### **SIDEWALKS**

- ◇ Ordinarily, the development of a building addition in a Hospital District would require the provision of a proportionate amount of new sidewalk along adjoining rights-of-way that are not currently served by sidewalks. This site's frontage of Clearvista Drive, a public street, is not presently outfitted with a sidewalk.
- ◇ However, in this instance, the petitioner has requested the opportunity to construct new sidewalks within areas elsewhere on the hospital campus in satisfaction of the sidewalk requirement of the Special District Zoning Ordinance, likely northeast of the primary hospital structure, adjacent to an interior hospital driveway loop. Staff would regard the continuing development of sidewalks within the primary campus area as presently being a higher priority than development of new sidewalks at this site, on the periphery of campus, and so supports

(Continued)

**STAFF REPORT 2014-APP-005 (Continued)**

the proposed alternative arrangement, provided that the length of the proposed alternative sidewalk length would be greater than or equal to the length of the subject lot’s frontage – roughly 500 feet. To this end, a pedestrian plan, indicating the proposed new sidewalk elsewhere within the hospital campus, should be submitted for and subject to Administrator’s approval, prior to issuance of an Improvement Location Permit.

**GENERAL INFORMATION**

EXISTING ZONING AND LAND USE

HD-1 Medical building and parking lot

SURROUNDING ZONING AND LAND USE

|         |      |                             |
|---------|------|-----------------------------|
| North - | HD-1 | Hospital campus             |
| South - | SU-2 | High school athletic fields |
| East -  | HD-1 | Parking lot                 |
| West -  | D-P  | Multi-family dwellings      |

COMPREHENSIVE PLAN Recommends special use.

THOROUGHFARE PLAN Clearvista Drive is not indicated in the Official Thoroughfare Plan.

**ZONING HISTORY**

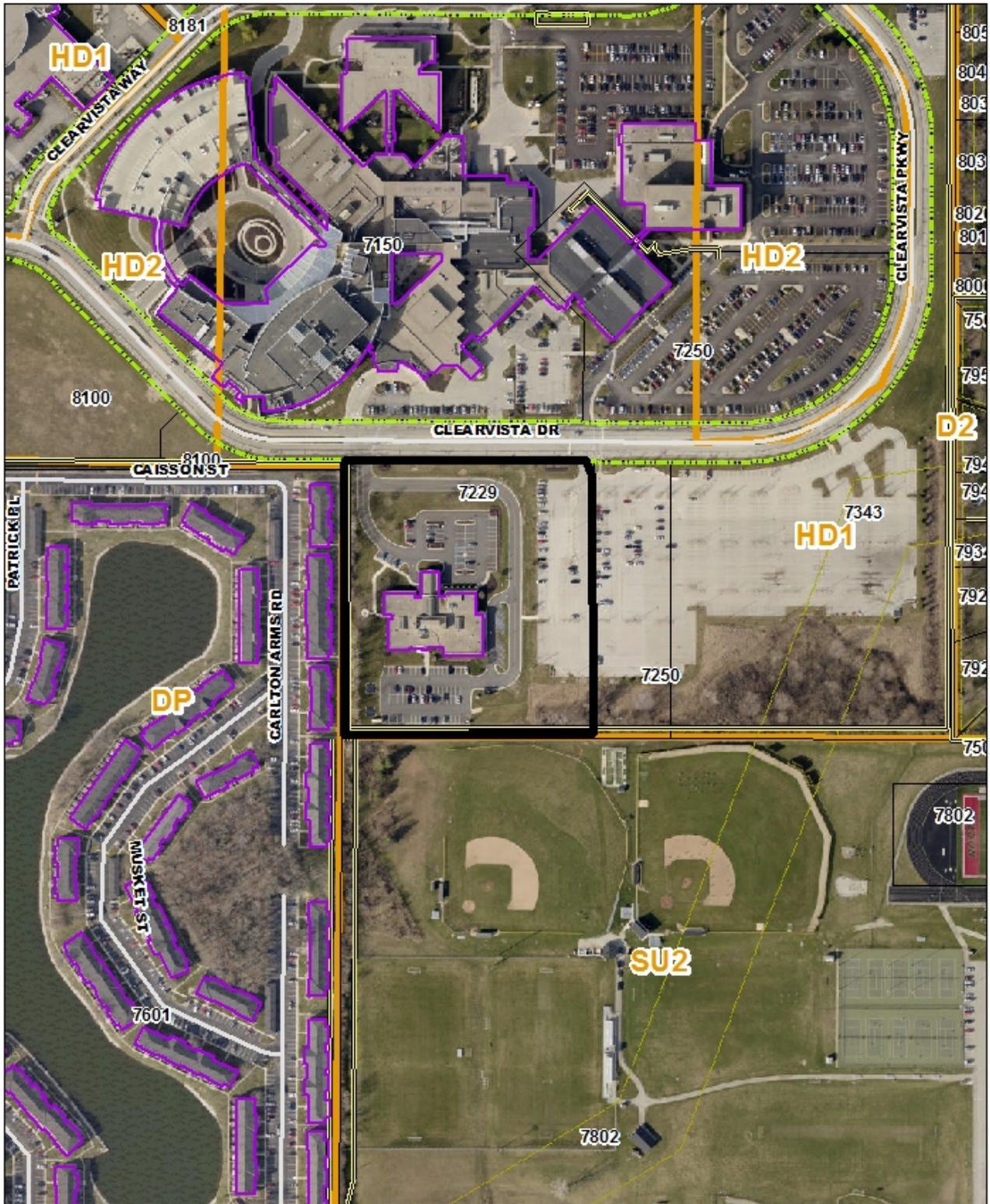
**2012-CZN/CAP-803; 7250 and 7343 Clearvista Drive;** requested rezoning of 11.4 acres from HD-1 and HD-2 to HD-1 and HD-1 Approval for a 63,000-square foot rehabilitation hospital, **approved.**

**2007-APP-814; 7250 Clearvista Drive;** requested HD-1 Approval and HD-2 Approval to provide for the expansion of an interior access drive, **approved.**

**2001-APP-125; 7250 Clearvista Drive;** requested HD-1 Approval to provide for the construction of a parking lot with 104 spaces to serve the Indiana Surgery Center and Heart Hospital, **approved.**

MDC \*\*\*\*\*

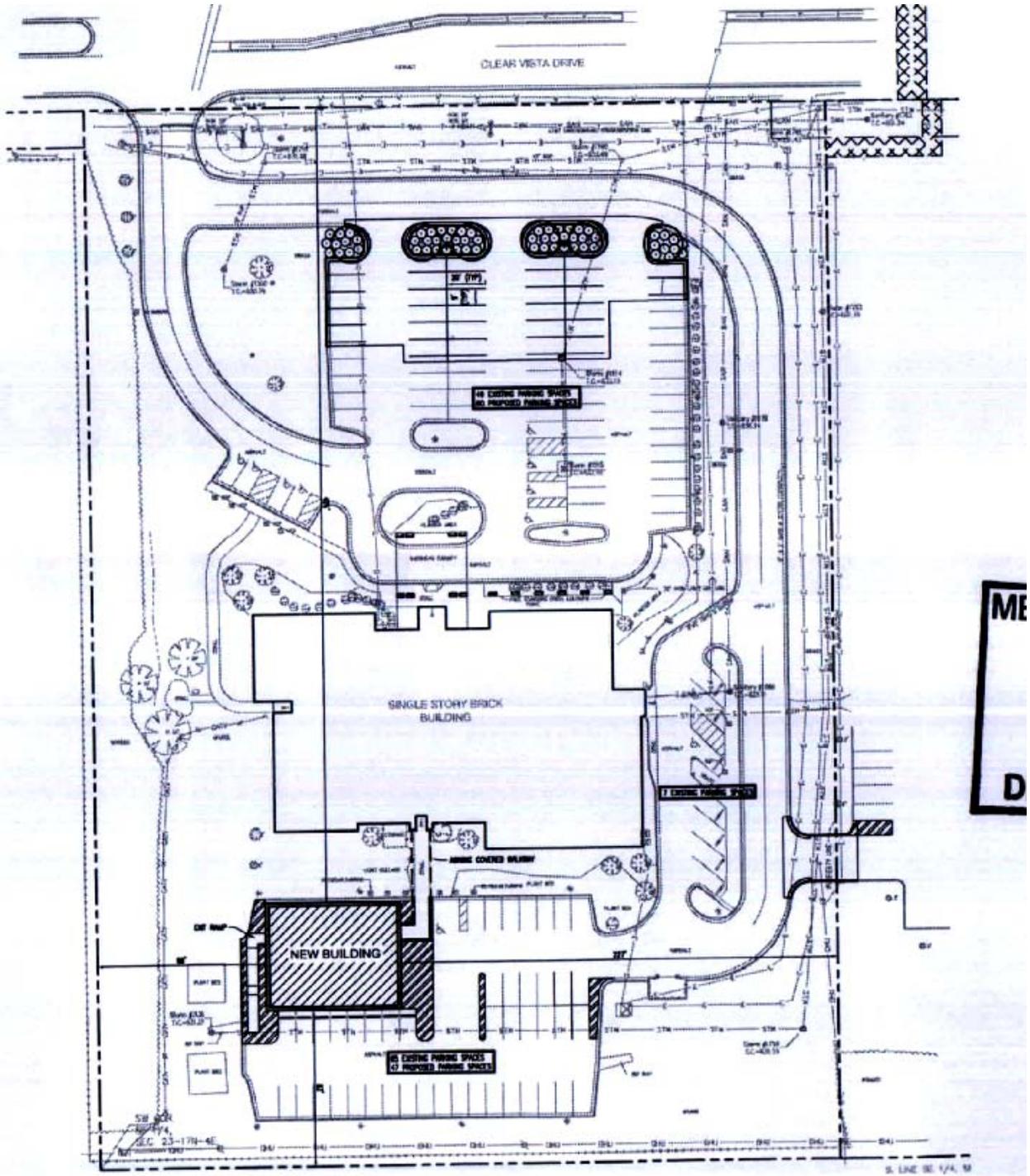
# 7229 Clearvista Drive



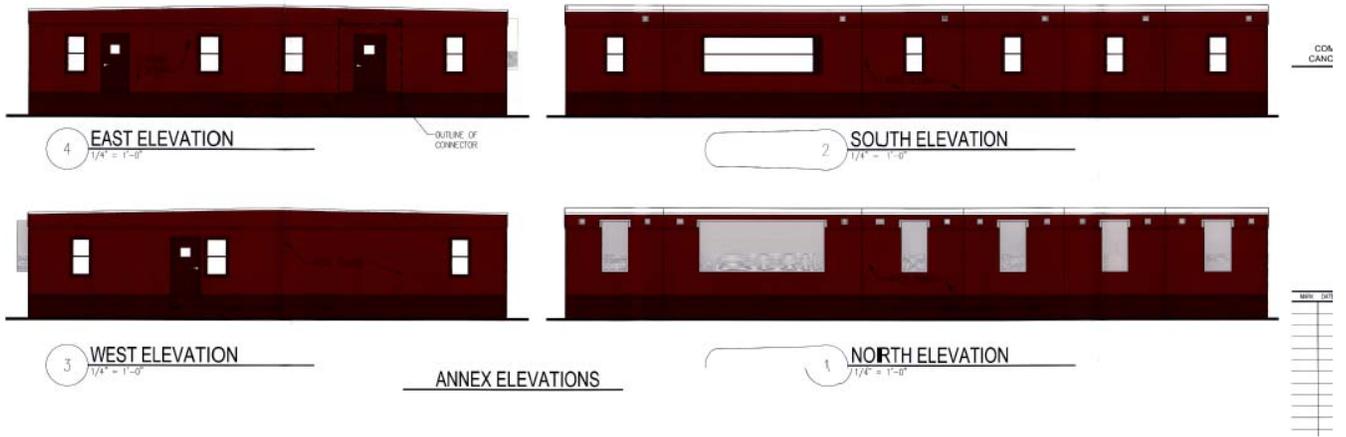
Map Compiled by: Mike Clust  
Division of Planning  
Date Compiled: 4/22/2014

1 inch = 259 feet

2014-APP-005 – Site Plan



## 2014-APP-005 – Elevations



## 2014-APP-005 – Photographs



1) Existing medical building



2) Hospital north of subject site



3) Athletic fields south of site



4) Multi-family dwellings west of site



5) Approximate location of addition

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2014-ZON-016  
**Address:** 425 West South Street (Approximate address)  
**Location:** Center Township, Councilmanic District # 19  
**Petitioner:** Karma Brothers, LLC, by David and Justin Kingen  
**Request:** Rezoning of 0.70 acre, from the I-3-U (RC) and CBD-2 (RC) Districts, to the CBD-2 (RC) classification to provide for commercial uses.

### RECOMMENDATIONS

Staff recommends approval of the petition.

### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

#### LAND USE

- ◇ The request would provide for the rezoning of a 0.70-acre parcel, located at the southeast corner of West Street and South Street, from the CBD-2 and I-3-U classifications to the CBD-2 classification. West Street is a one-way southbound arterial street and South Street is a two-way arterial street. West Street is the main southbound street on the west side of downtown that provides quick access from downtown to Interstate 70.
- ◇ A portion of the site is already zoned CBD-2. The west portion, a surface parking lot, was rezoned in 2002 through 2002-ZON-088. That petition rezoned a 0.38-acre site. At some point following the 2002 rezoning, this parcel was combined with the eastern portion to form in the 0.70-acre site.
- ◇ The subject site is developed with a one-story office building. A Regional Center Approval petition has been filed for improvements to the north and west facades of the building.
- ◇ This request would comply with the Regional Center Plan 2020, which recommends the site for medium-density mixed-use development. The CBD-2 district would also permit the existing use of the site and allow for future development.

#### REGIONAL CENTER

- ◇ The site is located within the Regional Center overlay district. Design of all new construction, including parking areas in the Regional Center overlay district is subject to the approval of the Administrator of the Division of Planning. A Regional Center Approval petition has been filed for exterior improvements to the building.

(Continued)

**STAFF REPORT 2014-ZON-016 (Continued)**

**GENERAL INFORMATION**

EXISTING ZONING AND LAND USE    CBD-2 and I-3-U (RC) Office building with surface parking

SURROUNDING ZONING AND LAND USE

|                    |                  |
|--------------------|------------------|
| North - I-3-U (RC) | Industrial       |
| South - I-3-U (RC) | Tavern           |
| East - CBD-2 (RC)  | Restaurant       |
| West - C-3 (RC)    | Gasoline station |

COMPREHENSIVE PLAN                      The site is located within the boundaries of the Regional Center Plan 2020, which recommends medium density mixed-use development.

THOROUGHFARE PLAN                      The Official Thoroughfare Plan for Marion County indicates that West Street is a primary arterial with a 60-foot right-of-way existing and proposed. South Street is a primary arterial with a 90-foot right-of-way existing and proposed.

**ZONING HISTORY**

**2014-REG-021; 425 West South Street (subject site)**, requests Regional Center Approval to provide for exterior improvements to the building, **pending**.

**2006-APP-009; 425 West South Street (subject site)**, requests Regional Center Approval to provide for an ADA ramp and awnings, **approved**.

**2002-ZON-088, 411 South West Street (portion of the subject site)**, requests a rezoning of 0.38-acre, from I-3-U (RC) to CBD-2 (RC), **approved**.

**2009-REG-037; 419 South West Street**, requested Regional Center Approval for an awning with signage, a pylon sign and a projecting sign, **approved**.

**2009-UV3-006; 419 South West Street**, requests a Variance of Use of the Industrial Zoning Ordinance to provide for a tavern, with outdoor seating, **granted**.

JY

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Zoning aerial – 2014-ZON-016

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2014-ZON-003  
**Address:** 1925 and 2105 Stop 12 Road (*Approximate Address*)  
**Location:** Perry Township, Council District #24  
**Zoning:** D-A  
**Petitioner:** Indiana Chin Baptist Church, by Gregory J. Ilko  
**Request:** Rezoning of 4.5 acres from the D-A district to the SU-1 classification to provide for religious uses.

This petition has been continued several times, primarily so that certain parties could attend previous hearings. No additional information has been submitted to the file, and staff's recommendation remains unchanged.

### **RECOMMENDATION**

Staff **recommends approval** of this request, subject to the following commitments being reduced to writing on the Commission's 'Exhibit B' forms at least three days prior to the MDC hearing:

1. No outdoor speakers shall be permitted on the subject site.
2. Any game courts located on the subject site shall not be lighted.

### **SUMMARY OF ISSUES**

The following information was considered in formulating the recommendation:

#### **LAND USE**

- ◇ The subject area consists of two separate parcels, each zoned D-A and improved with dwelling structures (Exhibits 1, 2). Both parcels have frontage on Stop 12 Road, and are separated by about 370 feet. The lots are collectively 4.5 acres, with the eastern lot being approximately 2.9 acres and the western lot being 1.6 acres.
- ◇ The intervening lots are zoned SU-1 and improved with dwellings (Exhibit 3). A multi-family residential development is north of the site, zoned D-6 (Exhibit 4). South of the site are platted lots improved with single-family dwellings, zoned D-3. Lots east of the site generally contain frontage along adjacent Madison Avenue. The lots east of the site include both residential and commercial uses, zoned D-A and C-1. D-A-zoned, single-family dwellings abut the site to the west.

(Continued)



**STAFF REPORT 2014-ZON-003 (Continued)**

THOROUGHFARE PLAN

Stop 12 Road is not indicated in the Official Thoroughfare Plan.

**ZONING HISTORY**

**2011-ZON-004; 2005 East Stop 12 Road (between subject parcels);** requests rezoning of 0.44-acre from the D-A District to the SU-1 classification, **approved.**

**2010-ZON-082; 2015 East Stop 12 Road (between subject parcels);** requests rezoning of 2.87 acres from the D-A District to the SU-1 classification, **approved.**

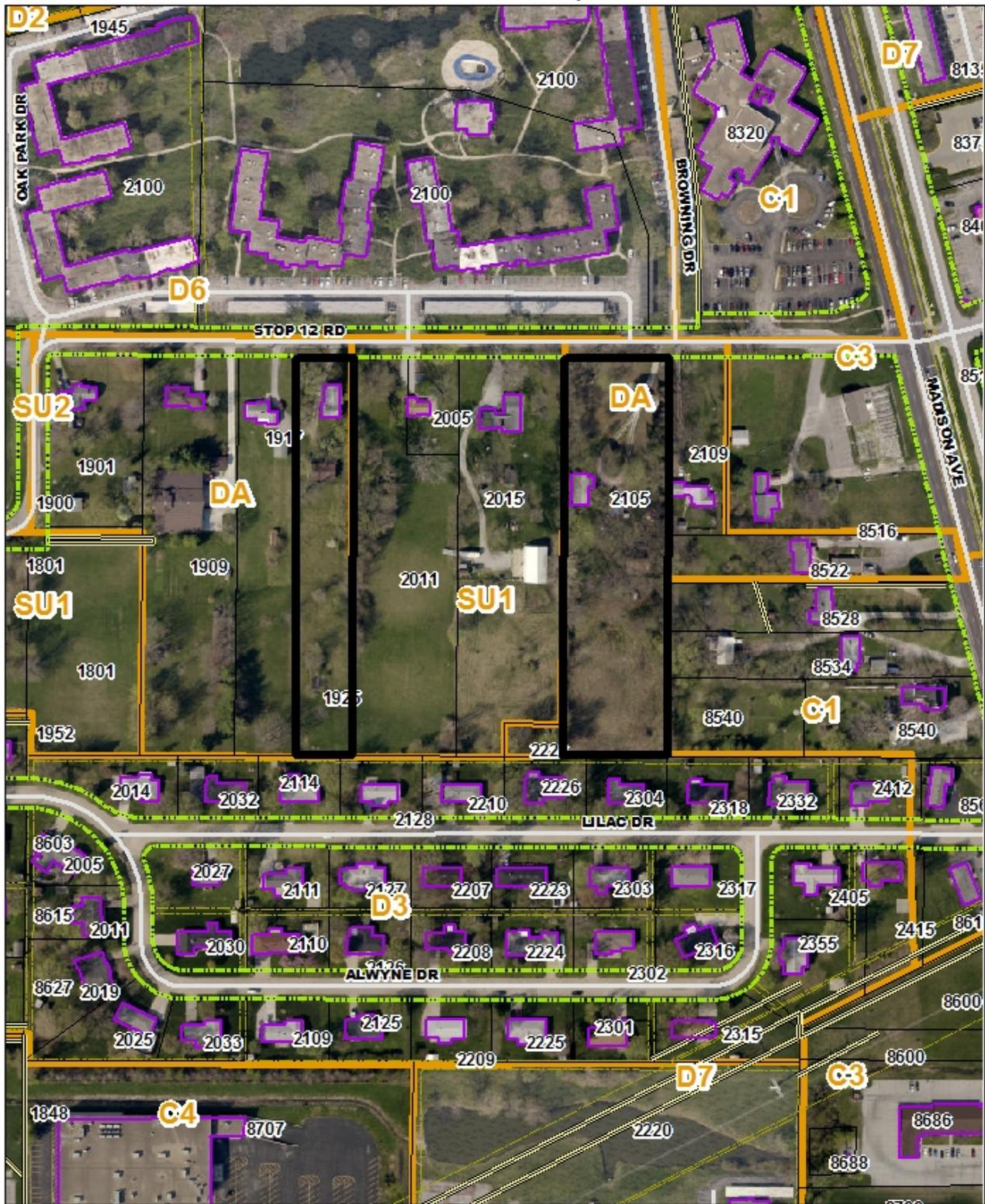
**2007-ZON-034; 2000 East Stop 12 Road (between subject parcels);** requests rezoning of 2.57 acres from the D-A District to the SU-1 classification, **approved.**

**86-UV2-35; 2105 East Stop 12 Road (subject site (east));** requests variance of use of the Dwelling Districts Zoning Ordinance to provide for the use second story of a detached garage for a publishing office, **granted.**

MDC

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# 1925 and 2105 Stop 12 Road



Map Compiled by: Mike Clust  
Division of Planning  
Date Compiled: 2/18/2014

1 inch = 220 feet

2014-ZON-003 – Photographs



1) 1925 Stop 12 Road



2) 2105 Stop 12 Road



3) Lots between the two subject lots, currently zoned SU-1



4) Multi-family residential north of Stop 12 Road

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Petition Number(s):** 2014-ZON-010  
**General Location:** 4718 Fall Creek Parkway, North Drive and 3114 East 46<sup>th</sup> Street  
(Approximate Address)  
**Township(s):** Washington  
**Council District(s):** 4  
**Petitioner/Agent:** Indianapolis Health Care Management Inc., by Stephen D. Mears  
**Request(s):** Rezoning of 8.48 acres, from the D-4 (FF) (W-5) District, to the C-1 (FF) (W-5) classification to provide for a nursing home.

### RECOMMENDATIONS

Staff recommends denial of this request as proposed.

### SUMMARY OF ISSUES

The following information was considered in formulating the recommendation:

#### LAND USE

- ◇ The 8.48-acre subject site is zoned D-4 and is unimproved. The site contains frontage on three streets – 46<sup>th</sup> Street to the south (Exhibit 1), Fall Creek Parkway, North Drive to the east (Exhibit 2), and Binford Boulevard to the west. The site is heavily wooded with mature vegetation (Exhibits 3, 4).
- ◇ A platted subdivision of single-family dwellings, known as Riverwood, is located south and east of the site. This subdivision plat was approved in 1954. Six dwellings are oriented to 46<sup>th</sup> Street (Exhibit 5) and six dwellings are oriented to Fall Creek Parkway (Exhibit 6). The site is effectively located behind these dwellings, west of the dwellings on Fall Creek Parkway and north of the dwellings on 46<sup>th</sup> Street. A complex of multi-family dwellings is northwest of the site, zoned D-6. West of the site, across Binford Boulevard is largely zoned D-4 and unimproved.
- ◇ Fall Creek is roughly 500 feet east of the site. As such, the site is located completely within the floodway fringe, or 100-year flood plain.

#### REZONING REQUEST

- ◇ This request would rezone the subject site from the D-4 District to the C-1 District, to allow for the development of a nursing home facility. The request would not be consistent with the Comprehensive Plan, which recommends residential development at 3.5-5 units per acre.

(Continued)

## **STAFF REPORT 2014-ZON-010 (Continued)**

- ◇ Under the current, D-4 zoning district, the development of single-family dwelling lots would be permitted on site, provided that such a development met the standards and requirements of the Flood Control Districts Zoning Ordinance. Staff would estimate that if the 8.5 acres were subdivided and platted, approximately fifteen lots could conceivably be created meeting D-4 development standards.
- ◇ From strictly a use standpoint, evaluated in a vacuum, staff believes that the siting of a nursing home facility, adjacent to single-family dwellings, could be appropriate and compatible. As staff evaluated this petition, the potential impacts of the proposed nursing home facility were evaluated vis-à-vis what could ostensibly occur on the site – single-family dwellings. In many ways, the associated impacts of a reasonably-sized nursing home facility could in fact be similar to a series of dwelling units.
- ◇ The mature, wooded area on site was intact at the time the dwellings in the Riverwood subdivision were constructed in the 1950s and remained largely intact when Binford Boulevard was subsequently constructed (between 1956 and 1962). Furthermore, it has provided a legitimate buffer and transitional area between these dwellings and Binford Boulevard, mitigating noise and other negative impacts from the quasi-expressway. While this should not preclude development on the site, it must be noted that the site has remained an intact wooded area for a number of years. The area is considered to be 'natural woodlands' according to the Comprehensive Plan.

### **SITE PLAN**

- ◇ While staff would acknowledge that a nursing home could be a compatible use adjacent to single-family dwellings, the support of this proposal wanes upon evaluation of the site plan, filed March 4, 2014.
- ◇ The proposed site plan would provide for a one-story, approximately 67,000-square foot nursing home structure. The plan indicates the nursing home would contain 120 beds. 99 parking spaces are provided on the plan, generally located north and west of the building. The development would require the clearing of the majority of vegetation on site.
- ◇ Staff would suggest that the proposed development is not scaled appropriately, given the site's constraints and the abutting land uses. The building and parking footprint is simply too large.
- ◇ Staff believes an earnest attempt at tree preservation is warranted at this location. The quality of vegetation on site has already been enumerated upon. In addition to providing inherent value, the vegetation would continue to provide stormwater drainage and flood mitigation benefits. The existing trees also could also serve as a genuine buffer area between the nursing home and abutting dwellings, provided that a large enough swath is preserved. The site plan indicates that slightly greater than fifteen feet of tree preservation would occur around the bulk of the site, with a slightly larger swath at the southeast and northwest corners of the site.
- ◇ To reiterate, the site is tucked behind a series of platted lots fronting on both 46<sup>th</sup> Street and Fall Creek Parkway. Two of these lots have been included with this petition, one on each

(Continued)

## **STAFF REPORT 2014-ZON-010 (Continued)**

respective street frontage. Access points would be provided to the site through both of these lots. The site plan proposes fifteen-foot yards where these driveways would abut adjacent dwelling lots. While this would meet the minimum C-1 Ordinance standards, the conversion of these lots from dwelling units to commercial driveways would be a substantial departure for the four immediate neighbors, and staff believes additional buffering with robust landscaping would be warranted. Furthermore, the access from 46<sup>th</sup> Street is adjacent to a platted public right-of-way stub, from the original Riverwood subdivision plat. If this petition is approved, this right-of-way would be functionally obsolete. Therefore, if consent of abutting owners were obtained, this right-of-way should be vacated. This would enable a larger and more proper entrance, with space for more substantial transitional landscaped yards.

- ◇ If the proposed site plan indicated a smaller-scaled development, staff could entertain supporting this request. The large, one-story structure would not be supportable as proposed. Staff would acknowledge that the design is in certain ways necessarily one-story, with courtyards and interior open spaces serving a specific clientele with limited mobility. This alone, however, would not justify the proposal in staff's opinion. If revisions were submitted with a smaller building and parking footprint, perhaps a two-story building, it may be possible to provide for satisfactory tree preservation and buffering from the adjacent dwellings.

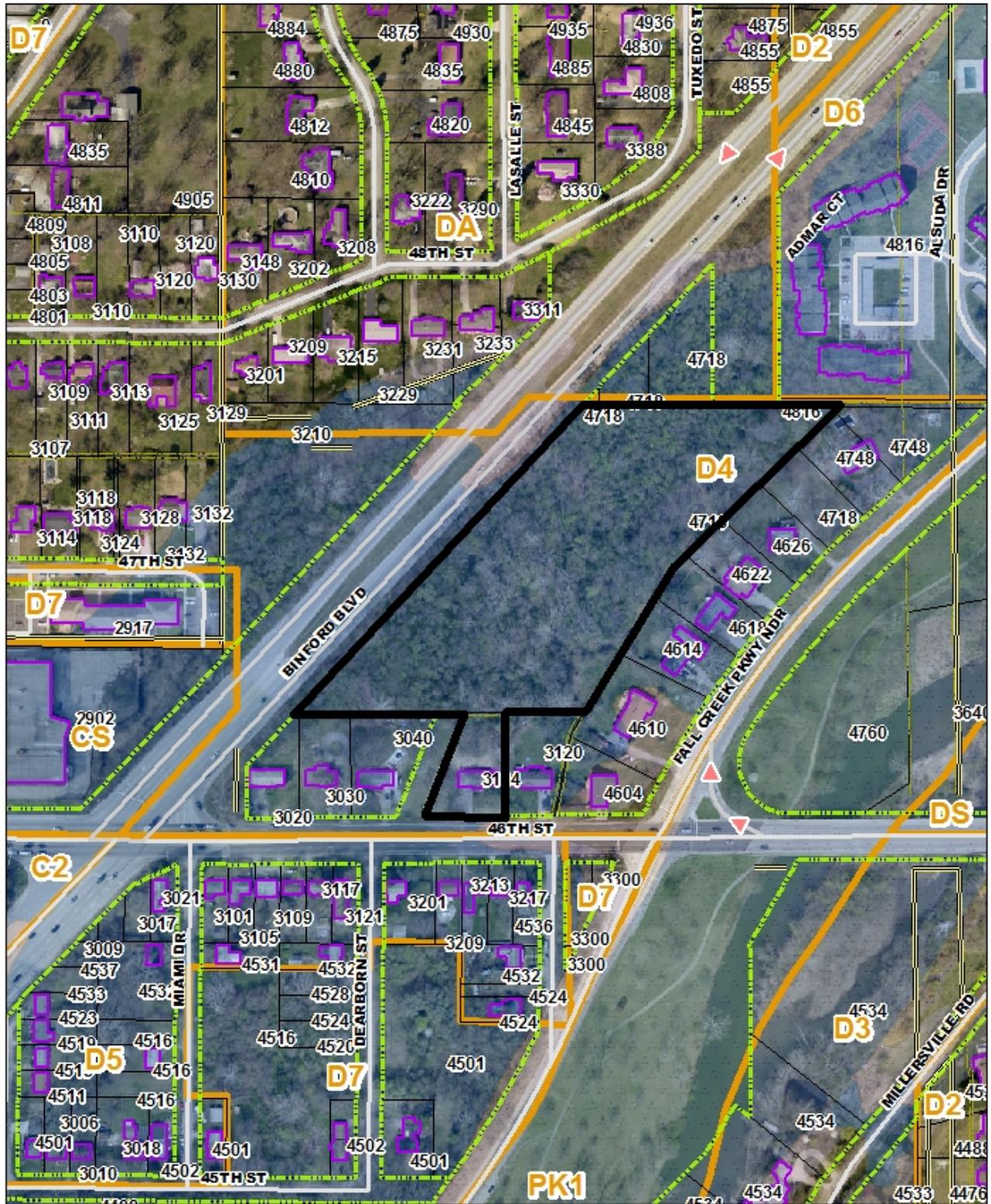
### **FLOOD AND DRAINAGE ISSUES**

- ◇ The site's 8.48 acres are located entirely within the floodway fringe, or 100-year flood plain of Fall Creek. Development within this area would be subject to the standards of section 735-304 of the Flood Control Districts Zoning Ordinance (FCDZO). Development in the 100-year flood plain can occur provided adequate flood protection is provided. The proposed development would be subject to a flood permit from the Department of Code Enforcement.
- ◇ Generally speaking, development in flood plains should be low-density and low-intensity in order to limit impacts from flooding on-site as well as to reduce the quantity and velocity of runoff and the associated downstream impacts.
- ◇ The site appears to be approximately five to nine feet below the base flood elevation of Fall Creek. To comply with the FCDZO, proposed structures would need to have a finished floor elevation of at least two feet above the base flood elevation or be flood-proofed in some manner. Therefore, the site would need to be provided with fill and elevated considerably to comply with the FCDZO.
- ◇ The site would also be required to comply with provisions of the Drainage and Sediment Control Ordinance. This would require facilities to address stormwater runoff generated by the impervious surfaces on site.
- ◇ Upon discussing this case with the Department of Code Enforcement (DCE), the DCE has indicated that, *'DCE will need to see significantly more detail on the grading and how they propose to handle the drainage and flood issues especially considering the topography of the site and the amount of fill that will need to be placed. It should be noted that a considerable amount of engineering work will need to go into the construction documents and details, with*

(Continued)



# 4718 Fall Creek Parkway, North Drive



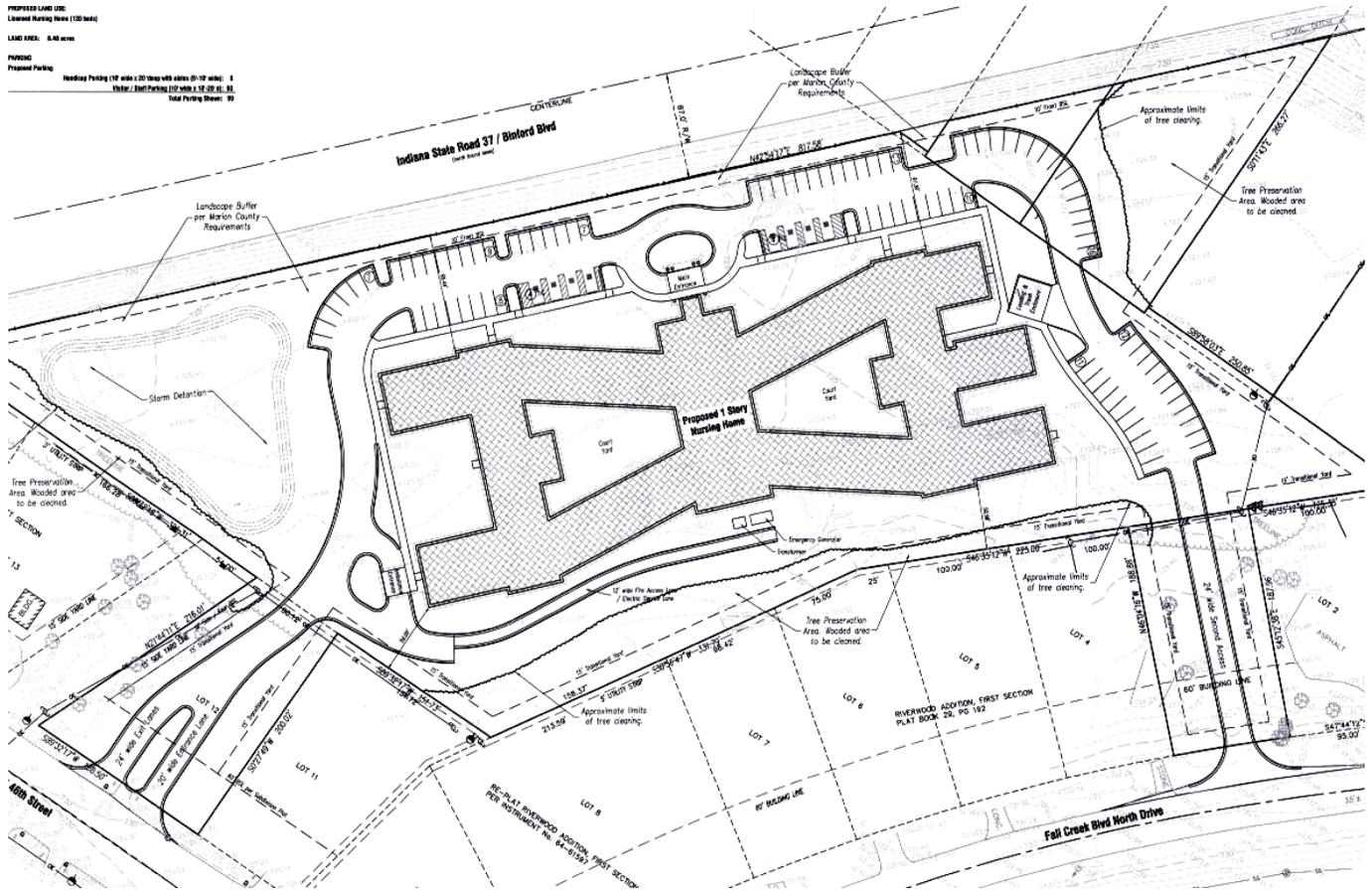
Department of Code Enforcement  
**Indianapolis**  
Gregory A. Ballard, Mayor



Map Compiled by: Mike Clust  
Division of Planning  
Date Compiled: 3/19/2014

1 inch = 245 feet

# 2014-ZON-010 – Site Plan, file-dated March 4, 2014



2014-ZON-010 - Rendering



2014-ZON-010 – Photographs



1) 46<sup>th</sup> Street and approximate location of southern drive



2) Abutting Fall Creek Parkway, North Drive, with subject site to right



3) Subject site from east



4) Subject site from south



5) Abutting dwellings on 46<sup>th</sup> Street



6) Abutting dwellings on Fall Creek Parkway

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2014-ZON-013  
**Address:** 9185 West 10<sup>th</sup> Street (Approximate address)  
**Location:** Wayne Township, Council District # 13  
**Petitioner:** SEB, LLC., by David Gilman  
**Request:** Rezoning of 0.92 acre from the C-3 (FF) District to the C-S (FF) Classification to provide for C-3 uses and automobile sales.

#### ADDENDUM FOR MAY 15, 2014

Petition 2014-ZON-013 was continued at the request of the petitioner to meet with an adjacent property owner and to relocate the onsite notice sign.

#### RECOMMENDATIONS

Staff **recommends denial** of this request.

Should the request be approved, Staff would recommend that any approval be subject to the site plan, landscape plan and C-S Statement, file-dated March 20, 2014, and the C-3 use restrictions, File-dated April 3, 2014 as well as the dedication of a 70-foot half right-of-way along West 10<sup>th</sup> Street being granted to DPW within 60 days of approval.

#### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

##### **LAND USE**

- ◇ The subject site, zoned C-3, is improved with a commercial structure and surface parking lot. The proposed rezoning from C-3 (FF) to C-S (FF) would permit auto sales, in addition to C-3 uses, with certain use restrictions, on the subject site. No additional structures are proposed.
- ◇ The Comprehensive Plan recommends Community Commercial use for this site. Community commercial uses are identified as a wide range of low-intensity retail commercial and office uses catering to the surrounding neighborhood. The Comprehensive Plan recommends community commercial uses for all immediately adjacent properties. Further, the Comprehensive Plan recommends residential uses south and east of the subject site and park uses to the northeast. The land use plan for the Town of Avon, west of Raceway Road, recommends residential development.
- ◇ The proposed use of the subject site would be an automobile sales lot, a permitted use in the C-5 District. C-5 uses are generally characterized as intense commercial uses with substantial outdoor display and sales, lighting, traffic and noise. The Ordinance indicates that these uses should be grouped on heavy commercial thoroughfares and should avoid locating adjacent to

(Continued)

**STAFF REPORT 2014-ZON-013 (Continued)**

protected districts, such as dwelling districts. This section of West 10<sup>th</sup> Street functions as an alternative route for commuters traveling to and from residential areas of Hendricks County. The majority of heavy commercial activity occurs south of the subject site, along Rockville Road and US 36, where a number of automobile sales lots are located. In Staff’s opinion, the proposed addition of automobile sales is far more intense than surrounding uses and too intense for the generally residential character of this section of West 10<sup>th</sup> Street.

- ◇ Adjacent properties east of the subject site were granted variances to permit a landscaping business and a landscaping contractor. While these uses are not permitted in the C-3 District, the general retail aspects of these businesses are similar to retail uses permitted within the C-3 District. Additionally, these sites are completely within a floodplain, making some development difficult. Outdoor storage of plants and landscape material was considered a justifiable use and Staff recommended approval.

**SITE PLAN/C-S STATEMENT**

- ◇ The site plan, file-dated March 20, 2014, indicates much of the existing parking lot would be used for automobile display, in addition to customer parking. The parking lot would also be expanded to the southern-most portion of the lot for additional automobile storage.
- ◇ Staff would note that the submitted site plan would provide for substantial improvements to the site, including extensive landscaping along West 10<sup>th</sup> Street and most notably, an existing curb cut to West 10<sup>th</sup> Street would be removed, limiting access to 10<sup>th</sup> Street via a private north-south drive adjacent to the east property line.
- ◇ In addition to the proposed site improvements, the C-S statement, file-dated March 20, 2014, would place restrictions on signage, lighting, outdoor speakers, promotional advertising materials and certain uses within the C-3 district.
- ◇ While the proposed improvements listed above would reduce the impact of automobile sales to adjacent properties, the general characteristics of an automobile sales lot, including extensive outdoor storage and display, would not meet the intent of the Ordinance or the Comprehensive Plan. Additionally, a more intense commercial use for the subject site would likely have broader impacts, because, to be successful, it would draw from an area well beyond the surrounding neighborhoods.

**GENERAL INFORMATION**

**EXISTING ZONING AND LAND USE**

C-3 Vacant commercial structure (bank)

**SURROUNDING ZONING AND LAND USE**

North - C-3 Retail/commercial  
South - C-3 Indoor commercial recreation  
East - C-3 Vacant commercial  
West - C-3 Retail/commercial

(Continued)

**STAFF REPORT 2014-ZON-013 (Continued)**

COMPREHENSIVE LAND USE PLAN Recommends community commercial use.

THOROUGHFARE PLAN 10<sup>th</sup> Street is indicated as a primary arterial on the Official Thoroughfare Plan, with a 50-foot existing and 140-foot proposed right-of-way.

SITE PLAN File-Dated March 20, 2014

**ZONING HISTORY**

**76-A1-58; 9195 West 10<sup>th</sup> Street (subject site)**, Appeal of the denial of an ILP to allow the construction of a double-faced pole sign, **granted**.

**71-Z-238; 9201 West 10<sup>th</sup> Street (includes subject site)**, Rezoning of 4.1 acres from the D-7 District to the C-3 District to allow for a retail commercial center, **granted**.

**2002-UV2-044; 905 North Raceway Road (southwest of site)**, Variance of use of the Commercial Zoning Ordinance to provide for an automobile detailing shop, and a variance of development standards of the Commercial Zoning Ordinance to provide for a zero-foot front yard setback, **granted**.

**2000-UV1-029; 9207 West 10<sup>th</sup> Street (southeast of site)**, Variance of use of the Commercial Zoning Ordinance to provide for a landscaping contractor business, **granted**.

**95-UV1-82; 9225 West 10<sup>th</sup> Street (south of site)**, Variance of use of the Commercial Zoning Ordinance to provide for the construction of a building for indoor soccer and basketball, **granted**.

**94-UV2-27; 9175 West 10<sup>th</sup> Street (east of site)**, Variance of use and development standards of the Commercial Zoning Ordinance to provide for a garden center and landscaping business, with outdoor sales and storage, **granted**.

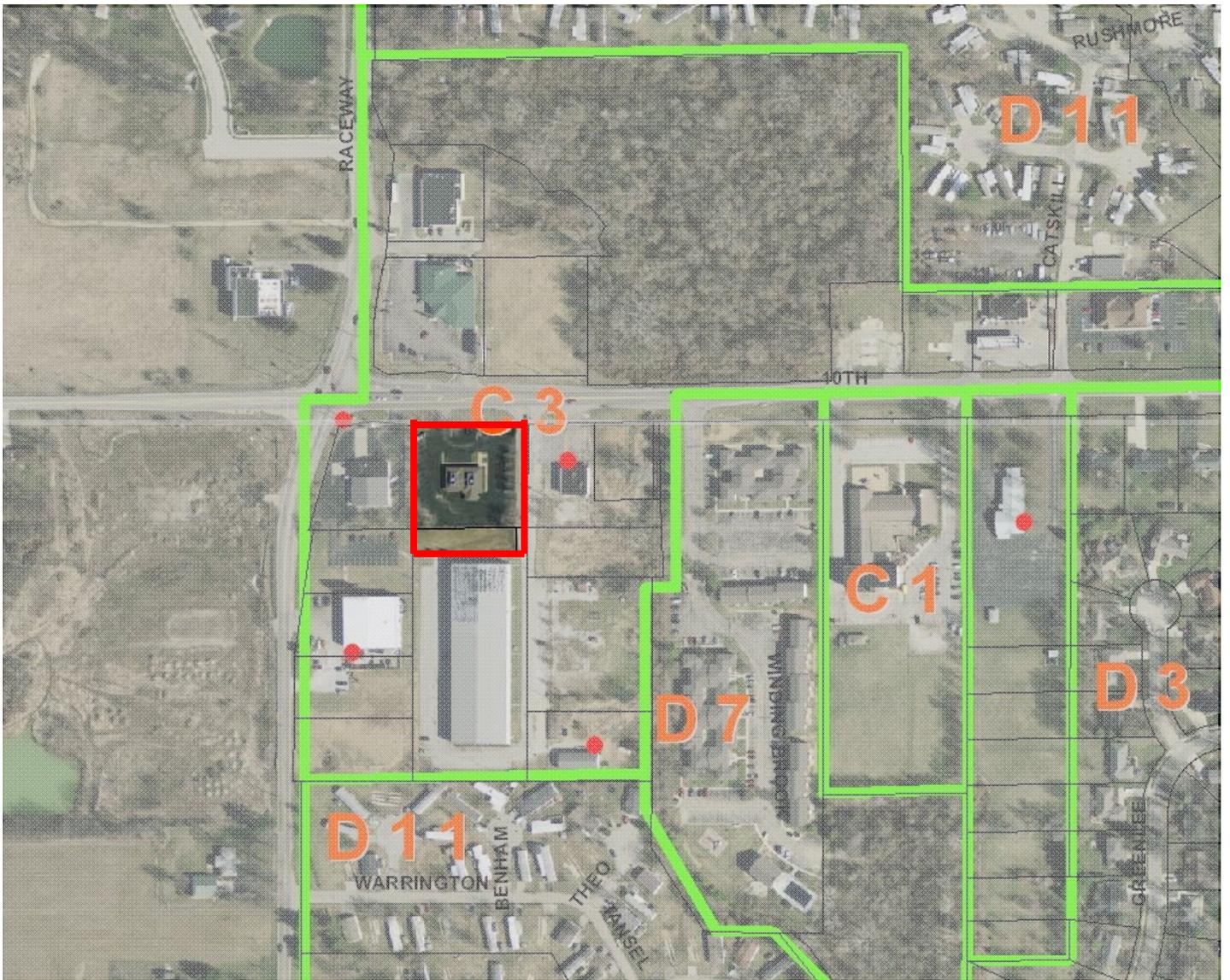
**72-Z-105; 9101 West 10<sup>th</sup> Street (east of site)**, Rezoning of 5 acres from the A-2 District to the SU-1 District for the development of a church, **granted**.

**68-Z-219; 9201 West 10<sup>th</sup> Street (west of site)**, Rezoning of 7.04 acres from the A-2 District to the B-2 District for commercial uses, **granted**.

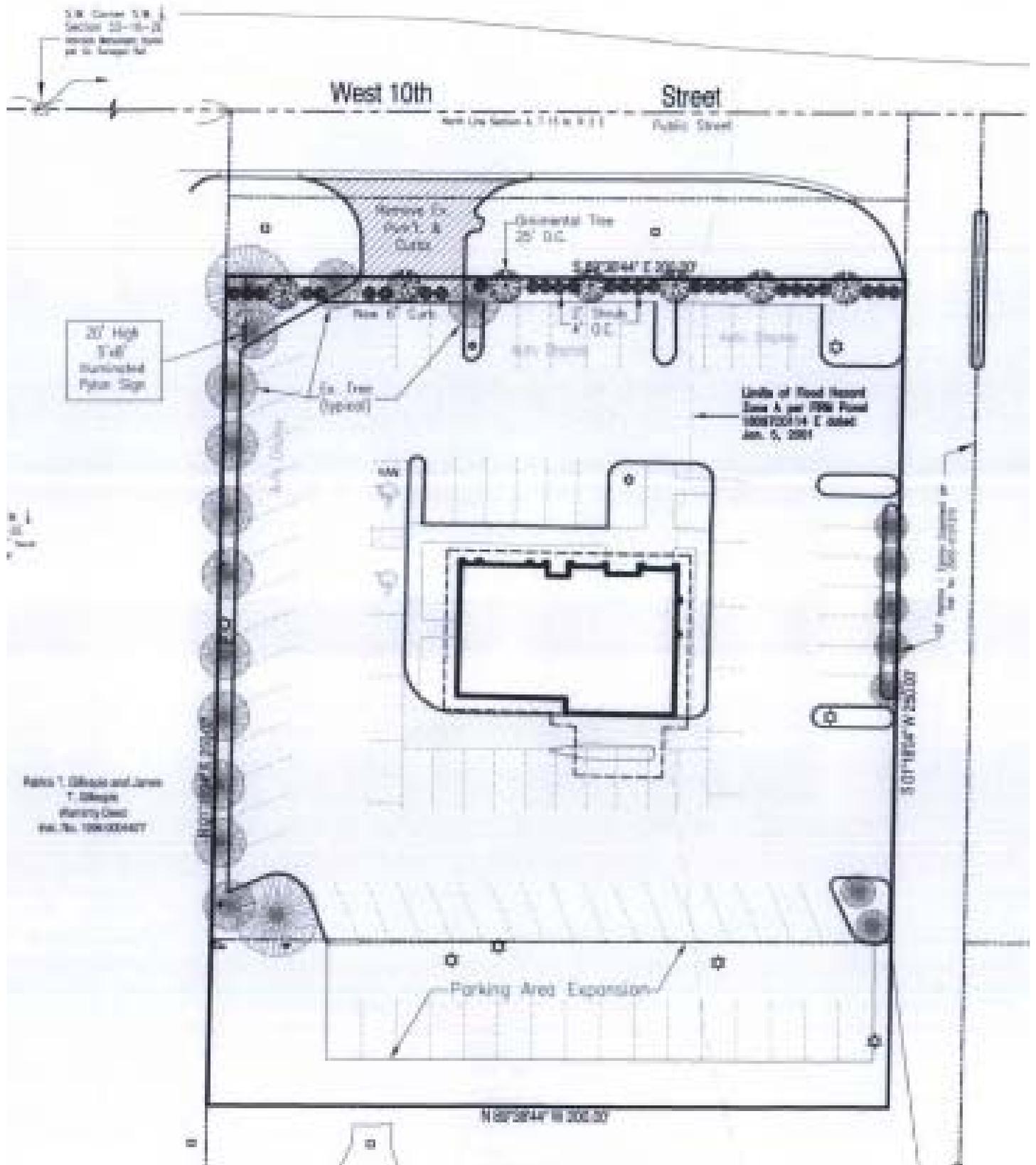
JAS

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**2014-ZON-013; Location Map**



**2014-ZON-013; Site Plan**



**2014-ZON-013; Photographs (Subject Site)**



Front, or north side of subject site looking southwest



South side of subject site looking north



Looking east along 10<sup>th</sup> St from site



Looking west along 10<sup>th</sup> St from site

**2014-ZON-013; Photographs (Adjacent Properties)**



Adjacent retail commercial west of subject site



Adjacent retail commercial north of subject site



Vacant commercial east of site



Indoor commercial recreation south of site

## STAFF REPORT

Department of Metropolitan Development  
Division of Planning  
Current Planning Section

**Petition Number(s):** 2014-CZN-807 and 2014-CVR-807  
**General Location:** 1635 East Southport Road and 7004 Madison Avenue  
(Approximate Address)  
**Township(s):** Perry  
**Council District(s):** 24  
**Rezoning District:** C-3  
**Petitioner/Agent:** Southport Associates, LLC., by Brian Cross and Eric Harvey  
**Request(s):** Rezoning of 2.179 acres from the C-3 district to the C-4 classification to provide for a plasma center.

Variance of development standards of the Commercial Zoning Ordinance to provide for the construction of a plasma center within an integrated commercial center:

- a) with an interior access drive, with a zero-foot south side transitional setback (20-foot side transitional setback required),
- b) with a trash container enclosure and parking lot with a five-foot south side transitional setback (20-foot side transitional setback required),
- c) with a trash container enclosure and picnic area with an 11-foot south side transitional setback (20-foot side transitional setback required), and
- d) without a standard loading space (one standard loading space required for commercial establishments exceeding 10,000 square feet).

Staff understands this petition will be continued and transferred without a recommendation for initial hearing at the June 4, 2014, Metropolitan Development Commission meeting, due to a conflict of interest with the Hearing Examiner.

Staff comments will be provided prior to the MDC meeting.

MDC

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## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Petition Number(s):** 2014-ZON-017  
**General Location:** 2460 North Delaware Street (*Approximate Address*)  
Indianapolis  
**Township(s):** Center  
**Council District(s):** 15  
**Petitioner/Agent:** City of Indianapolis, Department of Metropolitan  
Development, by Piers Kirby  
**Request(s):** Rezoning of 0.36 acre, from the D-8 district to the C-3C  
classification to provide for mixed-use development.

### **RECOMMENDATIONS**

Staff **recommends approval** of this request, subject to the following commitment being reduced to writing on the Commission's 'Exhibit B' forms at least three days prior to the MDC meeting:

Front yard setbacks shall be a minimum of 4.5 feet and a maximum of 10 feet.

### **SUMMARY OF ISSUES**

The following information was considered in formulating the recommendation:

#### **LAND USE**

- ◇ The 0.36-acre subject site is zoned D-8 and is unimproved (Exhibit 1). The site is located on the southwest corner of Delaware Street and 25<sup>th</sup> Street. It is abutted to the north, across 25<sup>th</sup> Street, by a liquor store (Exhibit 2), zoned D-8; to the south by single-family dwellings (Exhibit 3), zoned D-8; to the east, across Delaware Street, by a mixed-use development (Exhibit 4); and to the west by single-family dwellings, beyond an abutting alley, zoned D-8.
- ◇ The site is currently used as an ad-hoc parking lot (Exhibit 1), which would not be permitted within the current, D-8, zoning district. Historically, buildings had been located on the site, including a multi-tenant commercial structure on the northeast corner of the lot. Dwellings had also been located on the site, adjacent to the commercial building, per aerial photography and Sanborn Fire Insurance Maps. The commercial building had been used for a range of activity, according to a Phase 1 Environmental Site Assessment provided by the petitioner, including a dry-cleaning business for a number of years. All structures on the site had been demolished by 2004.
- ◇ The presence of the dry cleaning business and adjacent filling stations led to environmental contamination of the site. The City of Indianapolis acquired the site in 2003. Environmental remediation and monitoring subsequently began in 2009. Remediation consummated in 2013, at which time the Indiana Department of Environmental Management (IDEM) determined that

(Continued)

## **STAFF REPORT 2014-ZON-017 (Continued)**

no further remediation activity would be necessary, though a restrictive covenant was placed on the property, prohibiting the use or extraction of groundwater at the site.

### **REZONING REQUEST**

- ◇ This request would rezone the site from D-8 to C-3C. The D-8 District allows for residential development at reasonably high densities. The C-3C District is a mixed-use zoning designation, allowing for residential use as well as office and retail/service commercial activity.
- ◇ The request would be largely consistent with recommendations from the Citizens/King Park Neighborhood Plan, which recommends commercial for the northern one-third of the subject site and medium to high density residential for the southern two-thirds of the subject site. The C-3C category would allow for all of the uses recommended by the neighborhood plan.
- ◇ Staff believes the C-3C designation would be appropriate for the site. While site and development plans have not been submitted to the file at this time, the petitioner has indicated that future development would likely mimic the mixed-use development immediately east and northeast of the site, across Delaware Street (Exhibit 4). These two- and three-story buildings, although zoned D-P, would be typical of the C-3-C category, generally with neighborhood-scale commercial uses on the first floor with dwelling units above. The redevelopment of the subject site would complement the development east of Delaware Street and serve the residential neighborhood by adding to the neighborhood-scale commercial node at the intersection.
- ◇ Furthermore, the rezoning of the site would align with the aims of the C-3C District, as set forth in the Commercial Zoning Ordinance (CZO). Among other things, the CZO indicates the C-3C District is planned for, '...use in older urban commercial areas, which are located adjacent to established residential neighborhood on select segments of primary and secondary thoroughfares.' And, '...certain redevelopment areas and infill projects can be suitably located in a C-3C District.'
- ◇ The petitioner is offering a commitment, largely at staff's request, that front setbacks from both Delaware Street and 25<sup>th</sup> Street be no greater than ten feet. The Ordinance would require front setbacks of 70 feet from the respective centerlines of Delaware Street and 25<sup>th</sup> Street. If these setbacks were adhered to, the resulting project would be inappropriate for this corner. By establishing a maximum front setback, proper and contextually-appropriate form would be ensured, allowing for an engaging, pedestrian-oriented development with urban-style, mixed-use buildings located near the street and sidewalk.
- ◇ Staff would note that the setback deviations requested would require variances of the CZO.
- ◇ Pursuant to the findings above, staff recommends approval of this request.

(Continued)

**STAFF REPORT 2014-ZON-017 (Continued)**

**GENERAL INFORMATION**

EXISTING ZONING AND LAND USE

D-8 Unimproved

SURROUNDING ZONING AND LAND USE

|         |     |                           |
|---------|-----|---------------------------|
| North - | D-8 | Liquor store              |
| South - | D-8 | Single-family residential |
| East -  | D-P | Mixed-use                 |
| West -  | D-8 | Single-family residential |

NEIGHBORHOOD PLAN

The Citizens/King Park Neighborhood Plan recommends neighborhood shopping use for the northern lot and residential use at 6-15 units per acre for the southern two lots.

THOROUGHFARE PLAN

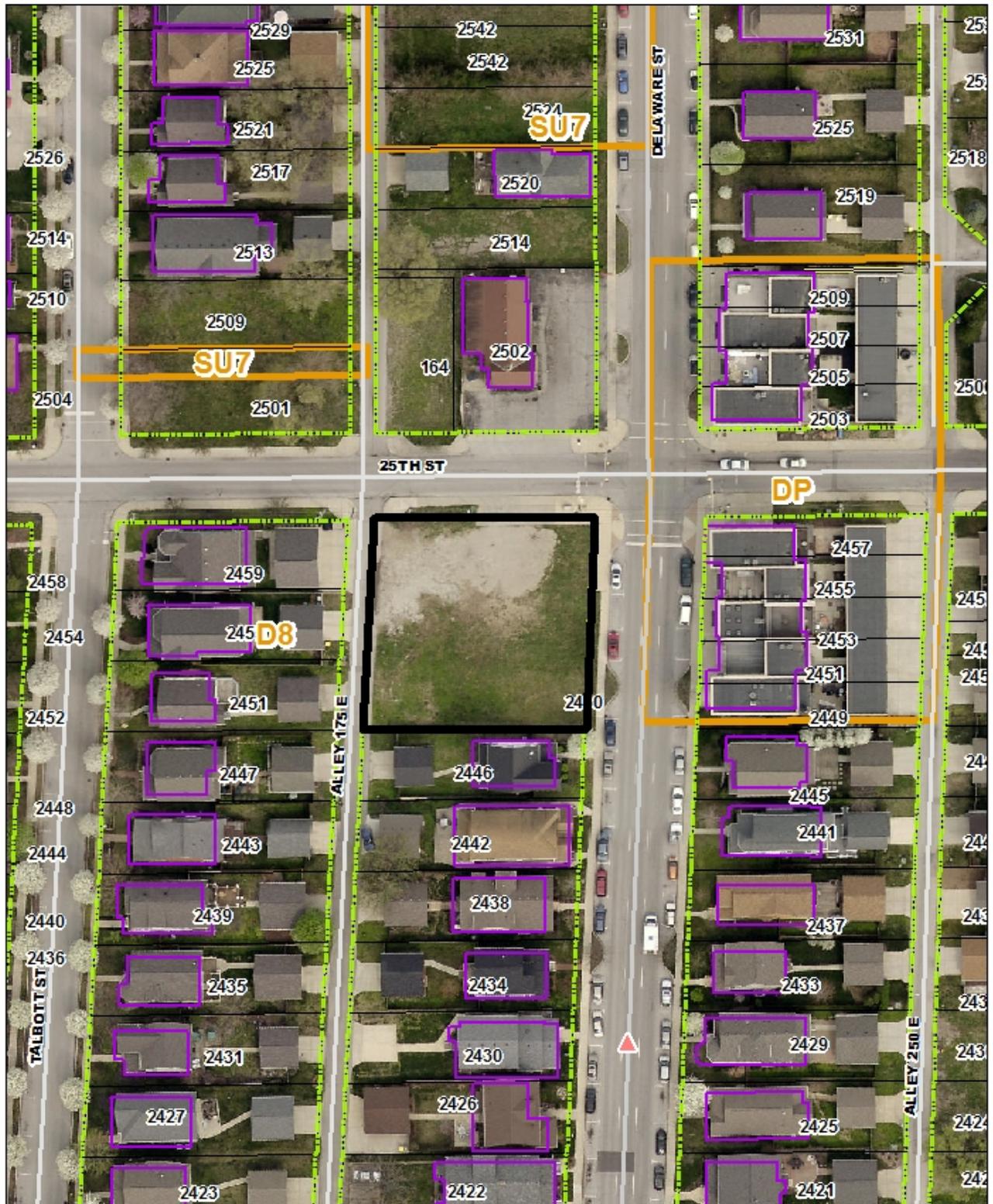
Delaware Street is a primary arterial, with a 60-foot existing right-of-way and a 60-foot proposed right-of-way. 25<sup>th</sup> Street is a primary arterial, with a 50-foot existing right-of-way and a 50-foot proposed right-of-way.

**ZONING HISTORY**

**2005-ZON-140; 2449 through 2509 North Delaware Street (east of site);** requests rezoning of 0.64-acre from D-8 and C-3 to D-P to provide for the construction of two mixed-use buildings, **approved.**

**91-UV3-41; 2502 North Delaware Street (north of site);** requests variance of use to legally establish a liquor store with wall signs, **approved.**

### 2460 North Delaware Street



Department of Code Enforcement  
**Indianapolis**  
Gregory A. Ballard, Mayor



Map Compiled by: Mike Clust  
Division of Planning  
Date Compiled: 4/29/2014

1 inch = 74 feet

2014-ZON-017 – Photographs



1) Subject site, from Delaware Street



2) Liquor store north of site



3) Abutting single-family dwelling to the south



4) Existing mixed-use development east of Delaware Street

**STAFF REPORT**

**Department of Metropolitan Development  
Division of Planning  
Current Planning Section**

**Petition Number(s): 2014-ZON-018**  
**General Location: 3009 East 96<sup>th</sup> Street (*Approximate Address*)**  
**Indianapolis**  
**Township(s): Washington**  
**Council District(s): 3**  
**Petitioner/Agent: Hours Motors Realty, LLC., by G. Douglas Abrams**  
**Request(s): Rezoning of 0.67 acre, from the C-1 district to the C-5**  
**classification to provide for automobile sales.**

A timely request for automatic continuance has been submitted by the petitioner, continuing this petition to the June 12, 2014 meeting of the Hearing Examiner.

MDC

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## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Petition Number(s):** 2014-ZON-019 (amended)  
**General Location:** 3718 West 86<sup>th</sup> Street (*Approximate Address*)  
Indianapolis  
**Township(s):** Pike  
**Council District(s):** 1  
**Petitioner/Agent:** Hassan and Suzanne Mihankhah  
**Request(s):** Rezoning of 0.7 acre from the D-2 district to the C-3 classification to provide for commercial uses.

### RECOMMENDATIONS

Staff **recommends denial** of this request.

### SUMMARY OF ISSUES

The following information was considered in formulating the recommendation:

#### LAND USE

- ◇ The 0.7-acre subject site is zoned D-2 and is improved with a one-story dwelling structure (Exhibits 1, 2). The rear (north) of the site is wooded.
- ◇ Abutting land uses and zoning districts include a commercial center to the north, zoned C-4; a large commercial store to the south (Exhibit 3), zoned C-3; a special use to the east, zoned SU-20; and dwellings converted to commercial uses to the west, zoned C-1 (Exhibit 4).

#### REZONING REQUEST

- ◇ This request would rezone the subject site from D-2 to C-3. The D-2 District is a residential zone, allowing for single-family residential development, at reasonably low densities. The C-3 District is commercial district, allowing for a range of retail and service commercial uses, typically not drawing from beyond an established neighborhood boundary.
- ◇ The request would not be consistent with the Comprehensive Plan, which recommends office-commercial for the site. The office-commercial category would correspond with the C-1 zoning district.
- ◇ Staff would not find the C-3 District to be appropriate at this site. In addition to the *Plan* recommendation, the lot's modest size and current improvements would not be conducive to the C-3 designation. For many C-3 uses, like a restaurant, it would be difficult to provide

(Continued)

**STAFF REPORT 2014-ZON-019 (Continued)**

adequate parking and maneuvering area on the 100-foot wide subject site, among other development standards.

- ◇ Staff would, however, indicate that the current, D-2 District is no longer an appropriate zoning district for the subject site. Considering the site’s location sandwiched between commercial and special uses in all directions, the D-2 category is currently unsuitable.
- ◇ Staff would support a rezone to the C-1 District to allow for an office conversion, in accordance with the Comprehensive Plan recommendation. This would mimic and mesh with the six, C-1-zoned lots immediately west of the site, which are dwellings mainly converted to viable office-commercial uses. Certain C-3 uses, if appropriately scaled for the subject site, could even be supportable via variance. However, staff would not support a rezoning to the C-3 classification without appropriate mitigating elements.
- ◇ Pursuant to the findings above, staff recommends denial of this request.

**GENERAL INFORMATION**

**EXISTING ZONING AND LAND USE**

D-2 Dwelling

**SURROUNDING ZONING AND LAND USE**

|         |       |                         |
|---------|-------|-------------------------|
| North - | C-4   | Integrated commercial   |
| South - | C-3   | Retail commercial       |
| East -  | SU-20 | Special use             |
| West -  | C-1   | Early-education/daycare |

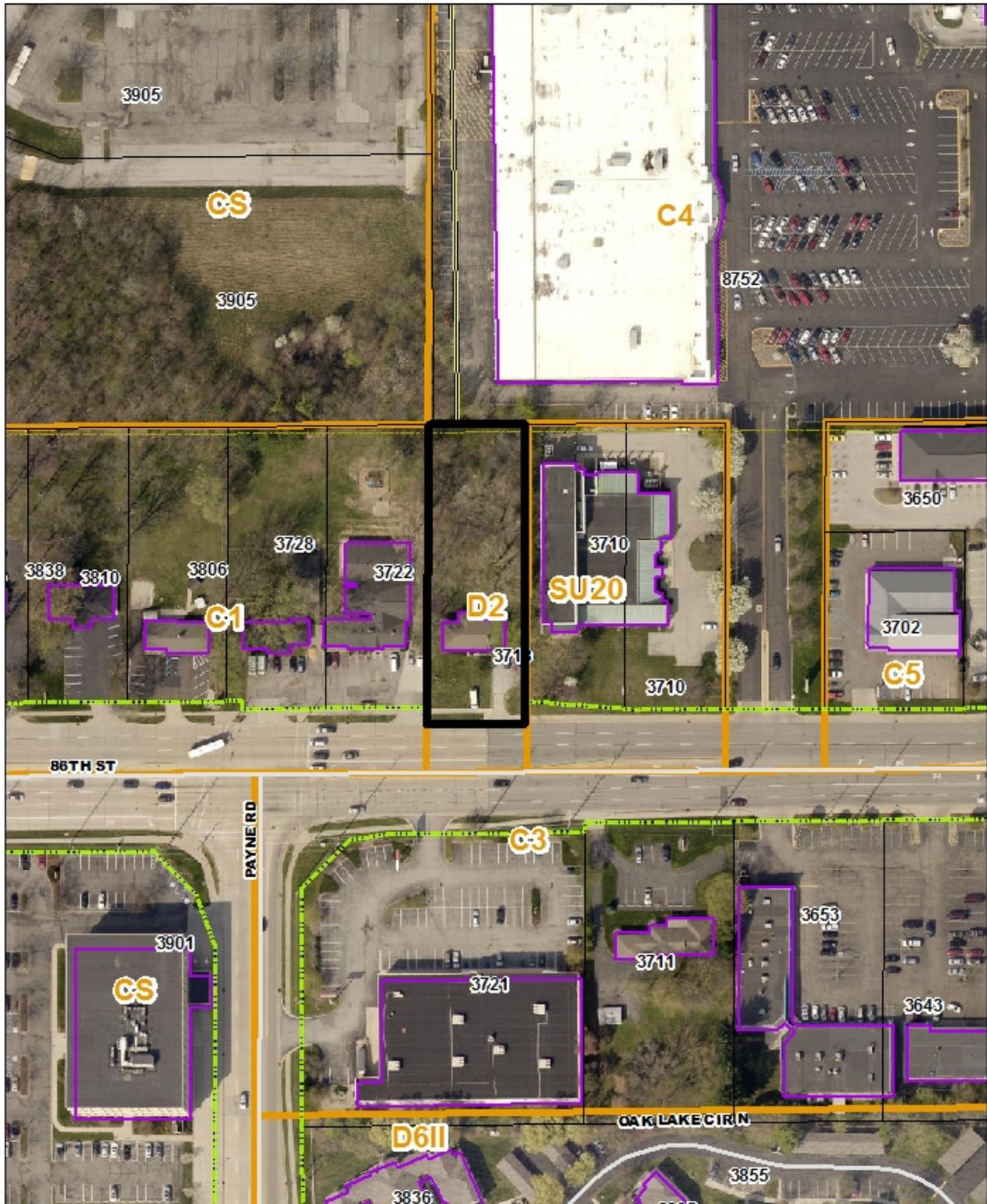
**COMPREHENSIVE PLAN** Recommends office commercial use.

**THOROUGHFARE PLAN** 86th Street is a primary arterial, with a 160-foot existing right-of-way and a 160-foot proposed right-of-way.

**ZONING HISTORY**

**2000-ZON-033; 3850 West 86<sup>th</sup> Street (west of site);** requests rezoning of 0.63-acre from D-2 to C-1, **approved.**

# 3718 West 86th Street



Map Compiled by: Mike Clust  
Division of Planning  
Date Compiled: 4/22/2014

1 inch = 128 feet

2014-ZON-019 – Photographs



1) Subject site



2) Subject site from west



3) Commercial use to the south, across 86<sup>th</sup> Street



4) Converted commercial uses to the west

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Petition Number(s):** 2014-ZON-022  
**General Location:** 6300 Southeastern Avenue, 2402 Hunter Road and 6221 East Raymond Street (*Approximate Addresses*)  
**Township(s):** Warren  
**Council District(s):** 25  
**Petitioner/Agent:** MacAllister Machine Company Inc., by Eugene Valanzano  
**Request(s):** Rezoning of 133.5 acres, being in the D-A and C-S districts, to the C-S classification to provide for an industrial use, including corporate offices, light and heavy vehicle and equipment sales and rental, light and heavy vehicle and equipment service, repair and storage facilities, new and used vehicle and equipment parts sales, service and storage, outdoor display and storage of light and heavy vehicles, equipment, machines and parts, with accessory uses and operations including, welding shops, wash bays, fuel islands, sandblast shops, painting booths, test facilities, cold storage areas, outdoor equipment and machinery test area, outdoor equipment and machinery staging area, trash compactor and old tractor storage / museum building.

### **RECOMMENDATIONS**

Staff **recommends approval** of this request, subject to substantial compliance with the petitioner's, 'Detailed Description of Request', file-dated April 10, 2014, and commitments submitted by the petitioner (2014-ZON-022 – Commitments, file-dated May 8, 2014) being reduced to writing on the Commission's 'Exhibit B' forms at least three days prior to the MDC Hearing:

### **SUMMARY OF ISSUES**

The following information was considered in formulating the recommendation:

#### **LAND USE**

- ◇ The irregularly-shaped 133-acre subject site is primarily zoned C-S and is used agriculturally (Exhibits 1, 2). A small portion of the northern portion of the site is zoned D-A. The large tract in Warren Township is roughly bordered by Raymond Street to the north, though only a fraction of frontage is provided on Raymond Street, the Southeastern Avenue/Interstate-465/Interstate-74 interchange to the south (Exhibit 3), and Hunter Road to the east (Exhibit 4).
- ◇ Abutting land uses and zoning districts include single-family dwellings to the north (Exhibit 5), zoned D-A and D-3; a range of commercial, residential, and institutional uses to the south (Exhibit 6), across Southeastern Avenue, zoned SU-1, SU-34, I-3-S, and C-3; single-family dwellings (Exhibit 4) and a church to the east, across Hunter Road, zoned D-A and SU-1; and single-family dwellings to the west, zoned C-S and D-A.

(Continued)

## **STAFF REPORT 2014-ZON-022 (Continued)**

- ◇ The site was rezoned to C-S as part of petition 96-Z-227, which encompassed the entire subject site and portions of land abutting the subject site. This petition allowed for a range of uses, but primarily would have allowed for highway-oriented commercial development on the southern portion of the site fronting on Southeastern Avenue, and would have allowed for multi-family residential development on the northern portion of the site. None of the uses permitted by 96-Z-227 have been realized, as the site remains unimproved.

### **REZONING REQUEST**

- ◇ This request would the site to C-S to provide for several land uses. A 'Detailed Description of Request' has been submitted to the file (2014-ZON-022 – Detailed Description of Request). The detailed description indicates five core uses, including corporate offices, vehicle and equipment sales and rental (light and heavy), vehicle and equipment service and repair (light and heavy), vehicle and equipment parts sales and service, and outdoor display and storage of vehicles, equipment, machines, and parts. Additionally, certain accessory uses complementary to the primary uses would be permitted, including a welding shop and painting booth, among others. The bulk of the land uses requested with this petition would be analogous to those found within the I-3 and I-4 Industrial zoning designations. The office and sales activity would likely require commercial zoning designations.
- ◇ The Comprehensive Plan recommends commercial for roughly the southern half of the site and medium-density residential for roughly the northern half of the site. The two lots containing frontage on Raymond Street are recommended for low-density residential. Staff believes these recommendations largely reflect the land uses currently allowed within the C-S District.

### **SITE PLAN**

- ◇ A conceptual site plan has been submitted to the file (2014-ZON-022 – Conceptual Site Plan), as required by the Commercial Zoning Ordinance (CZO) for rezoning requests to the C-S District. The conceptual plan indicates structures near the center of the site, with an interior drive in a loop configuration surrounding the structures. Surrounding the structures and interior drive would be a 'yard', utilized for outdoor storage of the equipment referenced above. The conceptual plan is also indicating a 'yard expansion' area, where outdoor storage would not initially occur, but would expand into as needed.
- ◇ The conceptual plan indicates a berm around a large portion of the site. In areas where the site would immediately abut dwellings, a ten-foot tall berm would be provided. In other areas where the site does not immediately abut dwellings, but is near sensitive land uses, a five-foot tall berm is indicated. A retention/detention area would be located on the southern portion of the site, near Southeastern Avenue.
- ◇ Three accesses are indicated on the plan, two from Southeastern Avenue at the southwestern portion of the site (Exhibit 7) and another from Raymond Street on the northern portion of the site (Exhibit 8). Additional, tentative accesses are shown from Hunter Road and Southeastern Avenue near the interstate interchange. It is possible that accesses from Southeastern Avenue may require approval from the Indiana Department of Transportation, considering their proximity to the Interstate.

(Continued)

## **STAFF REPORT 2014-ZON-022 (Continued)**

### **REZONING EVALUATION/COMMITMENTS**

- ◇ The request would be a departure from the *Plan* recommendation, and heavy industrial uses would not typically be advisable on sites abutting residential property. In this instance, however, staff believes the potential negative impacts associated with the site can be overcome by proper site and design considerations. When contemplating industrial uses abutting dwellings, this site has the advantage of being very large, which affords the ability to consolidate activity on the interior of the site, while providing ample transitional buffer yards.
- ◇ A second advantage of the site's location, for the proposed industrial use, is its proximity to the Interstate. Heavy equipment and vehicles entering or exiting the site would be able to quickly access I-465 and I-74. Thus, the majority of industrial traffic would be consolidated to a small stretch of Southeastern Avenue near the entrance and exit ramp. Because of this, staff does not believe that heavy vehicles and equipment would be traversing through residential corridors with great frequency. To ensure this, the access indicated as a 'secondary/emergency access' from Hunter Road, if developed, should not be utilized by trucks and other heavy equipment.
- ◇ To ensure a project compatible with adjacent property, staff has negotiated several commitments with the petitioner. Generally speaking, transitional yards and buffering consistent with I-4-S Ordinance standards should be provided. I-4-S standards would typically require yards between 50 and 200 feet where sites abut residential districts. Yards can often be variable, depending on the density of landscaping provided. For instance, front transitional yards provided with the minimum-required landscaping are required to be 200 feet in depth. However, if the required landscaping is tripled, a reduction to a 100-foot transitional yard is permitted. To ensure proper landscaping and transitional yards are provided, a final site and landscape plan should be submitted for Administrator's Approval prior to the issuance of an Improvement Location Permit. In addition to the landscaping and yards being requested, the perimeter berm installation providing additional screening would be required by commitment.
- ◇ Staff also had concerns regarding the proposed access at Raymond Street to the north. This access would be between two dwellings, and, if not properly located, would likely provide negative impacts on these adjoiners. To stem this, this drive should be a reasonably narrow, limited access, primarily for employees during normal business hours. A fifty-foot buffer yard should be provided east and west of the driveway where it would abut residential lots. This yard should be provided with dense, 'Type B' industrial landscaping, doubling the amount typically required.
- ◇ Fencing provided should be discreet to ensure the site does not provide a compound aesthetic. Additionally, equipment should be stored so as to be minimally impactful. The site is likely to include heavy, articulating construction equipment, that, when fully extended could be thirty feet tall or greater. These articulating components should be kept in a position low to the ground, so as not to be visible by adjoiners.
- ◇ Pursuant to the findings above, staff recommends approval of this request.

(Continued)

**STAFF REPORT 2014-ZON-022 (Continued)**

**GENERAL INFORMATION**

EXISTING ZONING AND LAND USE

C-S Unimproved/agricultural

SURROUNDING ZONING AND LAND USE

|         |                      |   |
|---------|----------------------|---|
| North - | D-A/D-3/C-S          | Single-family residential/unimproved          |
| South - | SU-1/I-3-S/C-3/SU-34 | Interstate interchange/commercial/special use |
| East -  | D-A/SU-1             | Single-family residential/religious use       |
| West -  | C-S/D-A              | Residential                                   |

COMPREHENSIVE PLAN

Recommends community commercial use for the southern portion of the site and residential at 5-8 units per acre for the northern portion of the site.

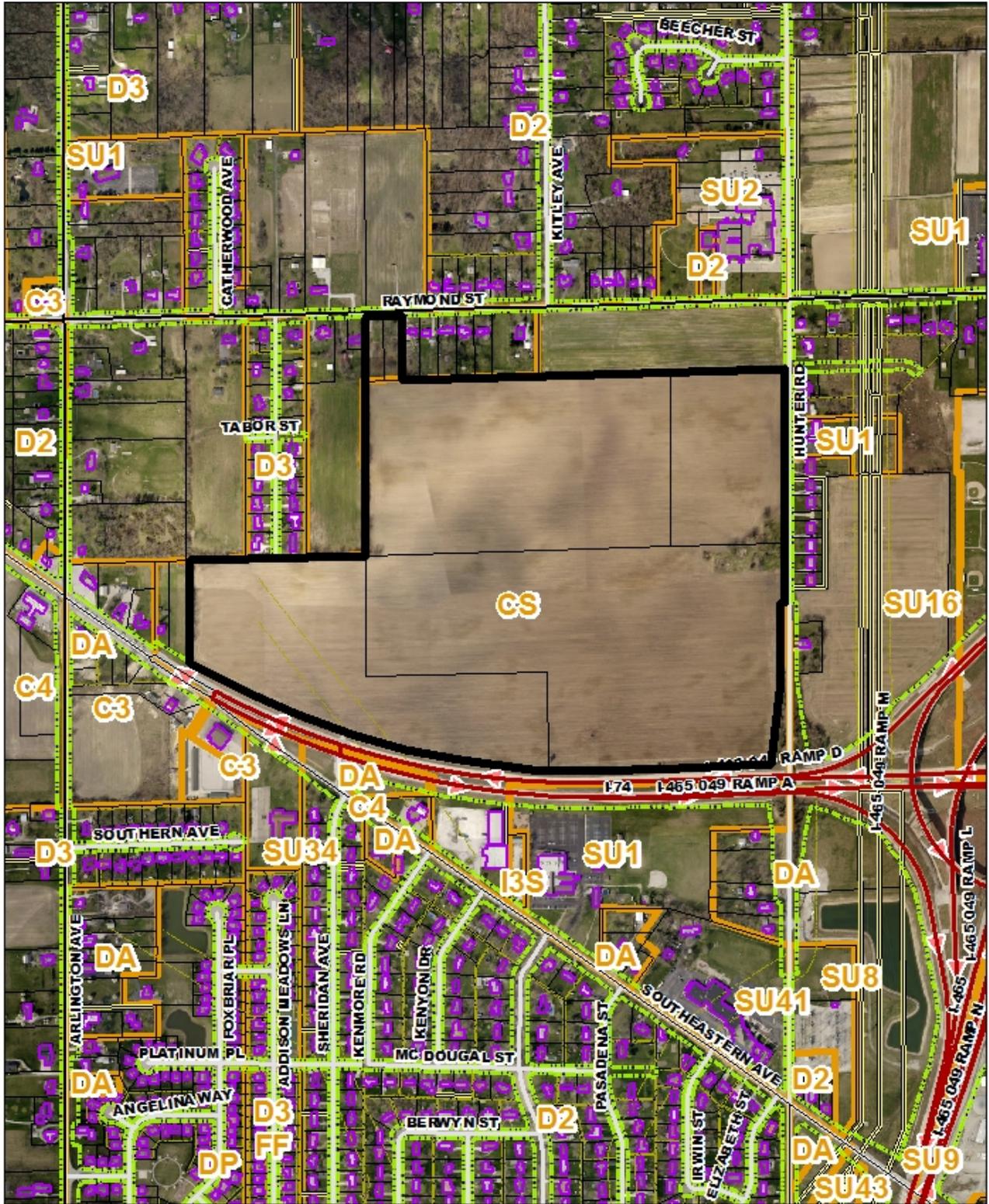
THOROUGHFARE PLAN

Southeastern Avenue is a secondary arterial, with a 120-foot existing right-of-way and a 140-foot proposed right-of-way. Raymond Street is a primary arterial, with a 90-foot existing right-of-way and a 140-foot proposed right-of-way.

**ZONING HISTORY**

**96-Z-227 (subject site);** requests rezoning of 146 acres from D-A and C-S to C-S to provide for multi-family residential development at approximately eight units per acre, an assisted living community, regional and highway-oriented commercial, and light industrial, **approved.**

6300 Southeastern Avenue, 2402 Hunter Road, 6221 East Raymond Street



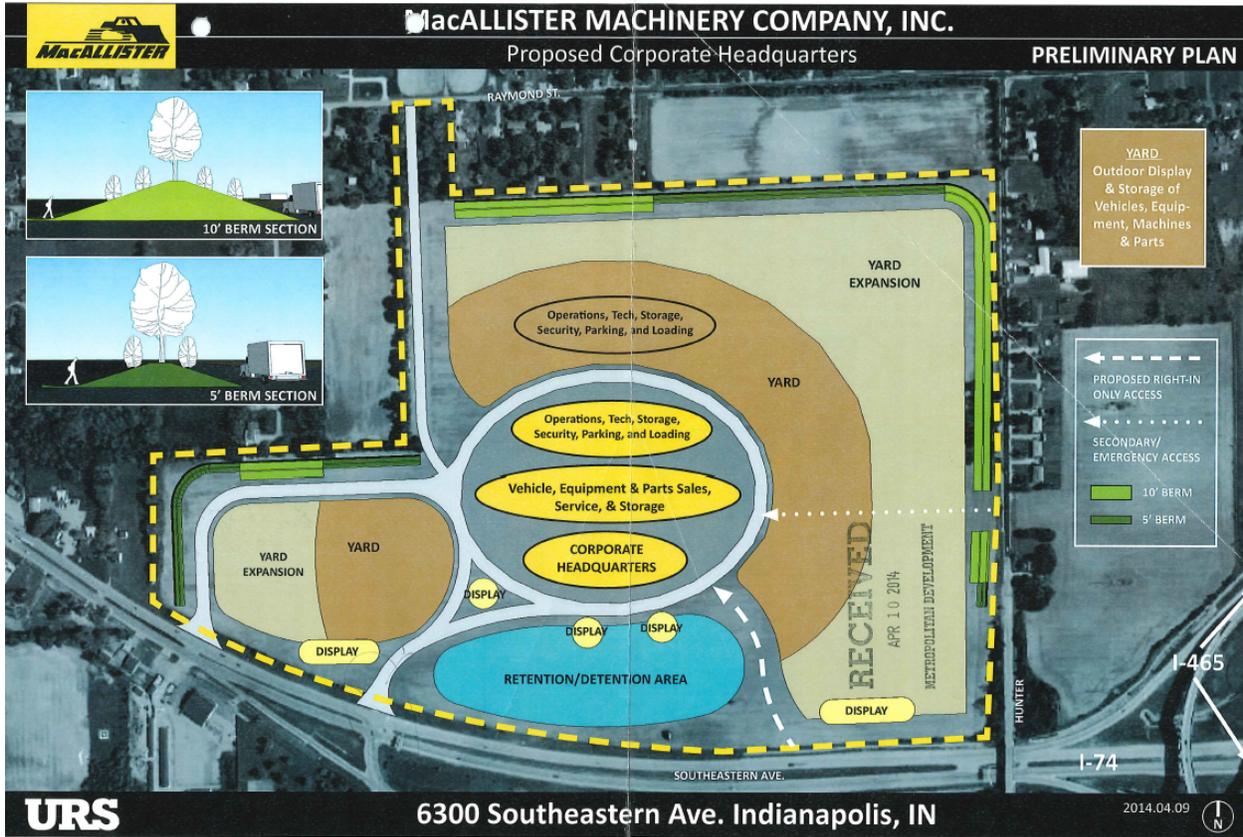
Department of Code Enforcement  
**Indianapolis**  
Gregory A. Ballard, Mayor



Map Compiled by: Mike Clust  
Division of Planning  
Date Compiled: 4/29/2014

1 inch = 703 feet

2014-ZON-022 – Conceptual Site Plan



## DETAILED DESCRIPTION OF REQUEST

**MacAllister Machinery Company, Inc.**  
6300 Southeastern Avenue, 2402 Hunter Road & 6221 East Raymond Street

### Request:

Petitioner, MacAllister Machinery Company, Inc. (“MacAllister”), requests the rezoning of approximately 133 acres being in the C-S District to a new C-S classification to provide for the development of a new MacAllister Corporate Headquarters facility with associated sales, service and display operations.

### Background:

MacAllister is a locally owned, fourth generation family business whose headquarters have been located on the east side of Indianapolis, in Warren Township, since the early 1950’s. Prior to that, MacAllister was located closer to Downtown. MacAllister moved to their current headquarters location at 7515 East 30<sup>th</sup> Street in 1966. Due to the continued growth and success of the business operations, MacAllister has outgrown its existing East 30<sup>th</sup> Street facilities. Being a local, family owned business, MacAllister desires to keep its corporate headquarters facility in Indianapolis, more precisely, in Warren Township. The subject site, with its 133 acres, offers the potential for excellent customer access from I-465 and I-74 while providing sufficient land area to accommodate continued growth and expansion of MacAllister’s operations for a period of twenty (20) years or more.

### Permitted Uses:

The following uses are the permitted uses for the subject site:

Primary Uses - These Primary Uses are the critical business elements of MacAllister:

1. Corporate Offices
2. Vehicle and Equipment Sales and Rental (Light & Heavy)
3. Vehicle and Equipment Service, Repair and Storage Facilities (Light & Heavy)
4. Vehicle and Equipment Parts Sales, Service and Storage (New & Used)
5. Outdoor Display & Storage of Vehicles, Equipment, Machines and Parts (Light & Heavy)

Accessory Uses - These Accessory Uses are necessary to support the critical business elements of MacAllister:

- |                                       |  |
|---------------------------------------|--|
| 1. Welding Shop(s)                    | 7. Cold Storage  |
| 2. Wash Bay(s)                        | 8. Equipment & Machinery Test Area (in the Yard or Yard Expansion areas) |
| 3. Fuel Island(s)                     | 9. Equipment & Machinery Staging Area                                    |
| 4. Sandblast Shop(s)                  | 10. Trash Compactor  |
| 5. Painting Booth(s)                  | 11. Old Tractor Storage / Museum Building                                |
| 6. Test Facility (e.g., Chassis Dyno) |  |

**RECEIVED**

**Site Development:**

Concept Plan: A Preliminary Plan, in the form of a land use bubble diagram, is included as a part of this rezoning petition. The intent of this Preliminary Plan is to demonstrate the proposed relationship between the various business elements of MacAllister. Most of the significant buildings are planned to be located inside the main loop drive. Smaller buildings or other business related out-buildings may be located along the inside or outside of the main loop. Areas for the display of new machinery or equipment may be strategically located along the Southeastern Avenue frontage of the site. Initial development is anticipated to include the following major components: (i) an approximately 30,000 square foot corporate office; (ii) an approximately 180,000 square foot parts / service facility; (iii) an approximately 8,000 square foot tech building; and, (iv) an approximately 40,000 square foot storage building.

Site Line and Noise Barriers: It is the intent of the Preliminary Plan that the less intense permitted and accessory uses are located in closer proximity to nearby residential uses while the more intense uses are located further away from nearby residential uses. In addition, various levels of berming and landscaping are proposed to provide site line and noise barriers between the outdoor operations and nearby residential uses.

Access: At least one (1) major access point shall be developed along Southeastern Avenue. A second access point located further west along Southeastern Avenue may also be developed depending on final traffic volume and site circulation assessments. A secondary access point may be developed along Raymond Street to provide access for passenger vehicles, school buses, agricultural equipment, or other light vehicles and equipment as well as a possible emergency access. A Hunter Road access can be provided, if needed, to provide adequate emergency access to the facility. A right-in only drive may be requested of INDOT along the eastern half of the I-74 / Southeastern Avenue access road to enhance internal circulation. Once inside the site, the goal is to provide a circular traffic movement around the facility as generally depicted on the Preliminary Plan.

Signs: In addition to the portions of the Sign Regulations for Marion County which specifically address signs in the C-S District, On-Premise signs shall comply with the requirements of Section 734-303 – On-Premises Signs; Commercial and Industrial Districts and Section 734-500 – Table A, Permitted Sign Types, On-Premise Signs, Business Signs, of the Sign Regulations applicable to the C-3 through C-ID Districts.

Security: In order to meet MacAllister's security needs, the site may include a minimum 6' security fence, which may include barbed wire and similar type wires, around the perimeter. Guard huts, access control gates, and similar measures may be employed in conjunction with each access location.

Plan Approval: A Preliminary Plan has been prepared and submitted as part of this rezoning. Final site and development plans may be submitted in total or in phases. Such final site and development plans shall be approved by the Administrator upon the Administrator's findings that the final site and development plans are consistent and in substantial conformity with the Preliminary Plan as approved by the Metropolitan Development Commission.

**RECEIVED**

APR 10 2014

**Statement of COMMITMENTS:**

1. The Owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".
2. No new outdoor advertising signs (a/k/a billboards) shall be permitted on the real estate.
3. No electronic variable message signs (a/k/a digital signs) shall be permitted as a component of any business identification sign on the real estate.
4. All light fixtures, whether free-standing or attached to buildings, shall be of either:
  - a. a "down lighting" style with the light element completely shielded on all sides and the top; or,
  - b. be equipped with a refractor so as to direct light downward onto the real estate.
5. A final site and landscape plan (i.e., the final site and development plan required by Section 732-210 (a) of the Commercial Zoning Ordinance) shall be submitted for Administrator's Approval prior to the issuance of an Improvement Location Permit.
6. The proposed driveway to and from the site via Raymond Street indicated on the preliminary plan shall be a maximum of 24-feet wide (excluding curb radii). This driveway shall not be accessible for trucks and heavy equipment prior to 7:00 a.m. and after 6:30 p.m. on weekdays, and shall not be accessible on weekends. An access control gate shall be installed approximately 350 feet south of the Raymond Street right-of-way.
7. An access drive from Hunter Road, if developed, shall not be accessible for trucks and heavy equipment prior to 7:00 a.m. and after 6:30 p.m. on weekdays, and shall not be accessible on weekends.
8. Transitional yards and landscaping shall be provided as follows:
  - A. Transitional Yards Adjacent to Residences. Transitional yard setbacks and landscape plantings in all yards adjacent to neighboring residences existing at the time of adoption of 2014-ZON-022 shall comply with the standards of the I-4-S district for depth of yard and plant material spacing. For the purposes of clarification, evergreen trees shall be considered the equivalent of deciduous shade (overstory) trees in the calculation of required trees.

- B. Transitional Yards Adjacent to Vacant Parcels. A minimum 50 foot setback shall be provided along all west and north property lines of adjacent parcels that are vacant at the time of adoption of 2014-ZON-022.
  - C. Front Yard Adjacent to Southeastern Avenue. A minimum 30 foot setback shall be provided from the right-of-way line of Southeastern Avenue.
  - D. Berms shall be provided as part of the transitional yard landscaping as follows:
    - (i) A 10 foot berm shall be provided as follows:
      - (a) along Hunter Road, except where access to Hunter Road may be required and south of where the I-74 Overpass returns to established grade;
      - (b) south of the existing residences fronting on Raymond Street; and,
      - (c) along the south line of Nowakowski's Home Sites.
    - (ii) A 5 foot berm shall be provided as follows:
      - (a) adjacent to the vacant parcel at the southwest corner of Raymond and Hunter; and,
      - (b) adjacent to the north-south property line going north from Southeastern Avenue.
  - D. Landscaping along the east and west sides of the Raymond Street access drive to the access control gate shall include, at a minimum, a double row of evergreen trees planted in staggered rows, 12 feet on-center.
  - E. Landscaping along the southern extension of the west line going south from Raymond Street shall include, at a minimum, a row of evergreen trees planted 25 feet on-center.
9. Proposed perimeter fencing shall be black vinyl chain link and be located on the top or exterior of the proposed landscape berm. Any fence located outside of the berms described in these commitments shall not include barbed wire, razor wire or similar type wires.
10. Articulating machinery stored outdoors in the yard area shall take place in a manner which keeps equipment as low as possible.

2014-ZON-022 – Photographs



1) From south, the subject site is unimproved



2) From north



3) The site is just north of the I-465/I-74 Interchange



4) Hunter Road and abutting dwellings to the east.



5) Abutting dwelling on Raymond Street, north of the site



6) South of site, across Southeastern Avenue



7) Accesses are proposed from Southeastern Avenue in this area



8) Approximate location of Raymond Street access

## STAFF REPORT

Department of Metropolitan Development  
Division of Planning  
Current Planning Section

**Petition Number(s):** 2014-CZN-810 / 2014-CVR-810  
**General Location:** 2810 East New York Street (*Approximate Address*)  
Indianapolis  
**Township(s):** Center  
**Council District(s):** 16  
**Petitioner/Agent:** SESS, LLC., by Gregory Zubek  
**Request(s):** Rezoning of 0.49 acre from the C-2 district to the C-3 classification to provide for an integrated center, with a convenience store / gasoline station and Laundromat.

**Variance of development standards of the Commercial Zoning Ordinance and the Sign Regulations to provide for:**

- a) an integrated center building approximately 48 feet from the centerline of New York Street (70-foot setback from the centerline required),
- b) a gasoline station canopy 46 feet from the centerline of New York Street and 60 feet from the centerline of Rural Street (70-foot setback from centerline required),
- c) gasoline pump islands 60 feet from the centerline of New York Street (70-foot setback from the centerline required),
- d) a drive-through service unit within 32 feet of a protected district (100-foot separation required), and
- e) freestanding signs with 10-foot setbacks from Rural and New York Streets.

A timely request for automatic continuance has been submitted by a registered neighborhood organization, continuing this petition to the June 12, 2014 meeting of the Hearing Examiner.

MDC

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## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Petition Number(s):** 2014-CAP-811 and 2014-CVR-811  
**General Location:** 1623, 1633, 1643 and 1649 East Hanna Avenue, 4025 and 4029 Matthews Avenue and 4020 and 4026 South State Avenue Indianapolis  
**Township(s):** Perry  
**Council District(s):** 23  
**Petitioner/Agent:** University of Indianapolis, by Kris Butler  
**Request(s):** University Quarter One Approval to provide for a four-story, approximately 80-foot tall health and sciences clinical facility, with off-street parking and wall and freestanding signs.

**Variance of development standards of the Special Districts Zoning Ordinance and the Sign Regulations to provide for:**

- a) an approximately 80-foot tall building (maximum 35-foot tall building permitted),
- b) with a parking lot, with a 16.88-foot front setback along Matthews Avenue (25-foot front setback required),
- c) two, eight-foot tall, 40-square foot freestanding signs, with four-foot and eight-foot setbacks from Hanna Avenue (15-foot setback required), within 60 feet and 445 feet, respectively, of D-3 and D-4 zoned dwelling districts (maximum height of four feet permitted within 600 feet of a dwelling district), and
- d) with 680 square feet of wall signs on the east elevation (maximum of three percent of the façade or approximately 422 square feet permitted).

### RECOMMENDATIONS

Staff **recommends approval** of this request, subject to the following commitments being reduced to writing on the Commission's 'Exhibit B' forms at least three days prior to the MDC Hearing:

1. A revised site plan and sign elevations shall be submitted for Administrator's Approval, prior to the issuance of any sign permit for freestanding signs or wall signs. Said plan shall indicate one freestanding sign along the Hanna Avenue frontage with a minimum ten-foot front setback.
2. The revised site plan shall indicate a bicycle rack.

### SUMMARY OF ISSUES

The following information was considered in formulating the recommendation:

(Continued)

## **STAFF REPORT 2014-CVR/CAP-811 (Continued)**

### **LAND USE**

- ◇ The three-acre subject site is zoned UQ-1 and is improved with a parking lot (Exhibits 1, 2) and administration building (Exhibit 3) affiliated with the University of Indianapolis. The site is located on the southwest corner of Hanna Avenue and State Avenue, and also provides frontage on Mathews Avenue to the west.
- ◇ Abutting land uses and zoning districts include the University of Indianapolis campus to the north, across Hanna Avenue, zoned UQ-1 (Exhibit 4); a parking lot to the south, zoned UQ-1; Single-family dwellings to the east (Exhibits 5, 6), across State Avenue, zoned D-3; and university buildings to the west along Hanna Avenue, zoned UQ-1.
- ◇ Since 2008, the site has been subject to numerous rezoning and approval petitions. Prior to 2008, the area had been improved exclusively with single-family dwellings, zoned D-3. With the approval of 2008-ZON-020, 2011-CZN/CAP-808, 2011-CZN/CAP-826, and 2011-CZN/CAP-836, the dwellings were gradually demolished, in favor a parking lot serving the university. One structure currently remains, used as a campus police administration building.
- ◇ This request would provide for the construction of a four-story 80-foot tall health facility, with associated parking. Being in the UQ-1 Zoning District, the petition requires Commission Approval. Additionally, several variances of development standards are being requested.

### **APPROVAL REQUEST**

- ◇ The Special Districts Zoning Ordinance (SDZO) provides criteria for development proposals within the UQ-1 District. The SDZO states: "In review of the proposed site and development plan, the Commission shall assess whether the site and development plan, proposed uses, buildings or structures shall:
  - a. Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan of Marion County, Indiana, including the applicable University Quarter Plan;
  - b. Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the University Quarter District and with adjacent uses;
  - c. Provide sufficient and adequate access, parking and loading areas; except, however, such primary group dwelling parking area shall not be located within the subject site, but shall be provided within five hundred (500) feet thereof in the adjacent UQ-1 District;
  - d. Provide traffic control and street plan integration with existing and planned public streets and interior access roads;
  - e. Provide adequately for sanitation, drainage and public utilities; and

(Continued)

## **STAFF REPORT 2014-CVR/CAP-811 (Continued)**

f. Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana, including the applicable University Quarter Plan. The Commission may consider and act upon such petition, approve the same in whole or in part, and impose additional development standards, requirements, conditions, or commitments thereon at any public meeting of the Commission.

g. Provide sidewalks along eligible public streets, excepting interstate, expressway, freeway, as indicated in the current Official Thoroughfare Plan for Marion County, Indiana, and other full control of access frontages as determined by the Administrator; and, pedestrian accessibility to available public transit. Sidewalks shall consist of the walkway and any curb ramps or blended transitions. If required to be installed, the Administrator or the Commission shall be guided by the provisions of Sec. 732-214(c)(5) for the installation of sidewalks in the C-S District.

- ◇ A site plan has been submitted to the file (2014-CVR/CAP-811 – Site Plan). The site plan generally orients the proposed building along Hanna Avenue to the north and State Avenue to the east, with a 63-space parking lot south and west of the building. Access would be gained directly from Mathews Avenue to the west and from Mathews and State Avenues via a private drive located south of the site. The site plan is indicating reasonably large gathering areas northwest and northeast portions of the parcel, near Hanna Avenue. The petitioner has indicated the area to the northwest would be an outdoor seating area and plaza space for students, faculty, and visitors.
- ◇ Building renderings have also been provided (2014-CVR/CAP-811 – Renderings). The most recent three dimensional renderings are indicating a four-story, approximately eighty-foot tall building. The elevations submitted indicate a well-glazed and fenestrated building on the north and east elevations.
- ◇ Overall, staff believes the proposal would meet the aims set forth for the UQ-1 District. State Avenue to the east would seem to represent a logical eastern campus boundary for the near term. University uses near the primary campus area, north of Hanna Avenue typically terminate at State Avenue, with few exceptions.
- ◇ Staff would have concerns about impacts on adjoining residential property to the east, across State Street. The presence of an 80-foot tall building would be a departure from past single-family dwellings on-site or the more recent parking lot. A shade study was submitted by the petitioner, indicating the shade given by the proposed building at varying times throughout the year. The building would likely obscure or reduce sunlight at certain times. According to the study, on May 21<sup>st</sup>, at 5:00 p.m. shade would not yet reach abutting houses, but at 7:00 p.m. several houses would be obscured (2014-CVR/CAP-811-Shade Study May 21).
- ◇ The building would, however, provide a proper urban form. In urban areas, or inherently walkable areas, such as university campuses, staff would tend to argue in favor of buildings sited near abutting streets and sidewalks, with parking areas behind, consistent with the current proposal. Additionally staff believes the fenestration being provided would mitigate the shade

(Continued)

**STAFF REPORT 2014-CVR/CAP-811 (Continued)**

issue as well. If the façade were a blank, monolithic wall, its aesthetic qualities would exacerbate the impact of diminished sunlight along the abutting streetscape.

**VARIANCE REQUESTS**

- ◇ In addition to the height variance for the building, several other variances are being requested. The proposed parking lot would be located closer than permitted to the Mathews Avenue right-of-way to the west. The 25-foot required setback is intended to address setbacks proximate to residential districts. The proposed 16.88-foot setback would abut internal campus development, and would provide sufficient space for adequate landscaping.
- ◇ The initial variance requested would have provided for two small pylon signs on Hanna Avenue. Staff has requested that only one pylon sign be located along this frontage, as two would have appeared redundant. The petitioner has verbally agreed to this, and a revised plan should be submitted for Administrator’s Approval, which removes one of the signs prior to a sign permit being issued. Staff would not object to the proposed setback deviation for a freestanding sign on Hanna. The petitioner has indicated the lone freestanding sign would likely be placed near the plaza area in the northwest corner of the site. Considering the sign may be concealed by amenities in this area nearer the right-of-way, a small deviation would not prove to be problematic.
- ◇ Similarly, staff would not object to a slight increase in the allowable wall sign area. Signs on these facades would remain compatible in this context. A proposed overage on the east façade, which faces a street, would be a reasonable increase in for a front façade. Staff would request Administrator’s Approval for wall sign design, prior to the issuance of a sign permit. The signs should provide an appropriate aesthetic, generally with individual letters or a similarly compatible design.
- ◇ Pursuant to the findings above, staff recommends approval of this request.

**GENERAL INFORMATION**

**EXISTING ZONING AND LAND USE**

UQ-1 Administration building, parking lots

**SURROUNDING ZONING AND LAND USE**

|         |      |                         |
|---------|------|-------------------------|
| North - | UQ-1 | University campus       |
| South - | UQ-1 | University parking      |
| East -  | D-3  | Single-family dwellings |
| West -  | UQ-1 | University campus       |

**COMPREHENSIVE PLAN**

Recommends residential development at 1.75-3.5 units per acre.

**THOROUGHFARE PLAN**

Hanna Avenue is a primary arterial, with a 50-foot existing right-of-way and a 120-foot proposed right-of-way. State Avenue and Mathews Avenue are not indicated in the Official Thoroughfare Plan.

## **ZONING HISTORY**

**2011-CZN/CAP-836; 1633 East Hanna Avenue (subject site);** requested rezoning of 0.46 acre from D-3 to UQ-1, **approved.**

**2011-CZN/CAP-826; 1616 Castle Avenue (subject site),** requested rezoning of 0.27 acre from D-3 to UQ-1, **approved.**

**2011-CZN/CAP-808; 4029 Mathews Avenue (south of site),** requested rezoning of 1.98 acres from D-3 to UQ-1, **approved.**

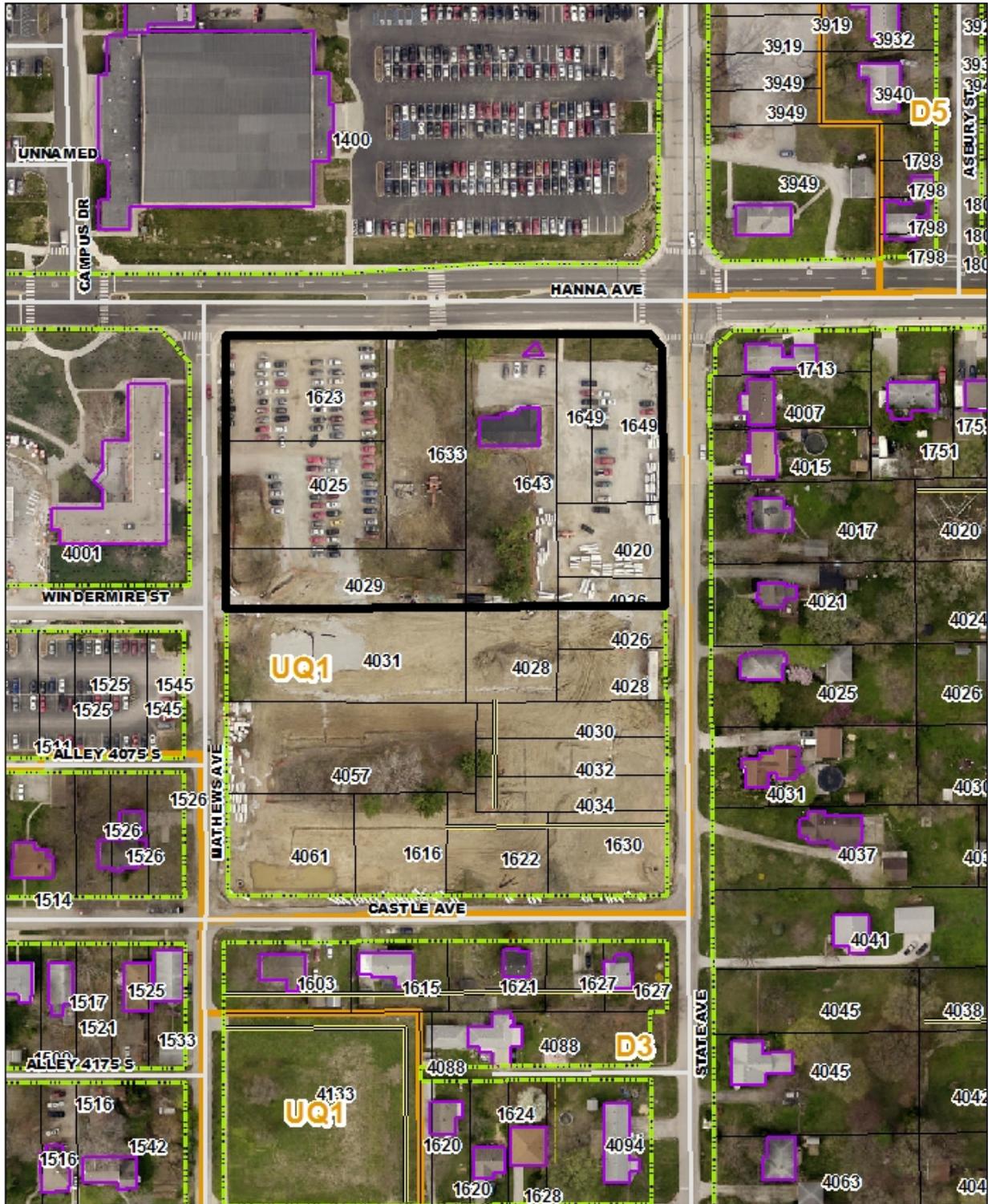
**2008-ZON-020; 4032 South State Avenue (subject site and south of site),** requested rezoning of 4.3 acres from D-3 to UQ-1, **approved.**

MDC

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2014-CVR/CAP-811 – Overall Site

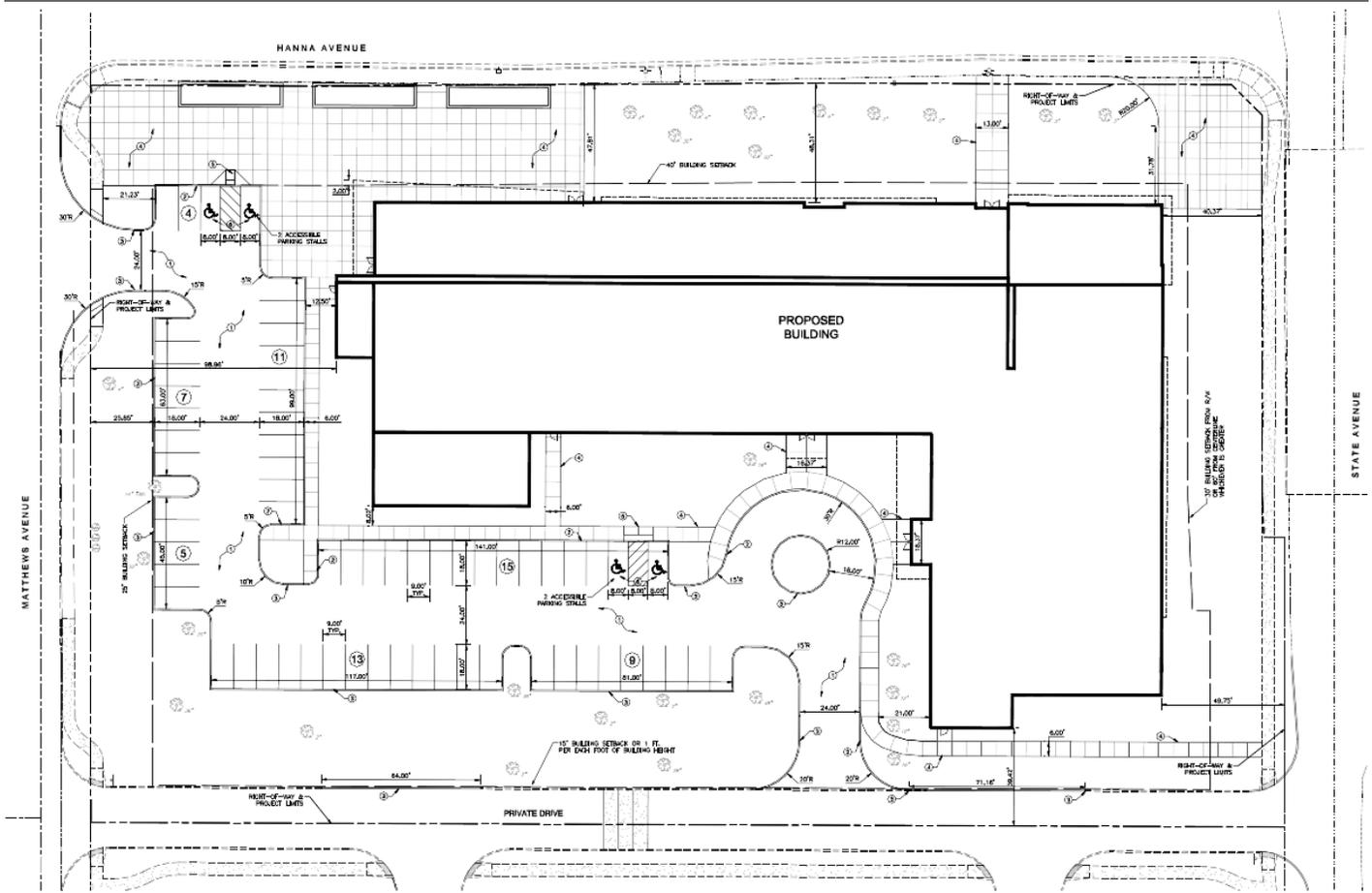
1623-1649 East Hanna Avenue; 4025, 4029 Matthews Avenue; 4020, 4026 South State Avenue



Map Compiled by: Mike Clust  
 Division of Planning  
 Date Compiled: 4/22/2014

1 inch = 138 feet

# 2014-CVR/CAP-811 – Site Plan



**REFERENCE:**  
 DISTRICT BOUNDARY SURVEY AND TOPOGRAPHY PREPARED BY THE (INSERT SURVEYOR), (INSERT ADDRESS), WASHINGTON, DC (DATE 2/1/2014)  
 XXX-XXX-XXXX 30-XX-XX, PROJ. NO. XXX-XXX, CONVEYANCE INSTRUMENT: 1

**SITE KEY NOTES:**  
 ① LIGHT DUTY ASPHALT SEE DETAIL ON SHEET 0800.  
 ② COMBINED CURB & WALK SEE DETAIL ON SHEET 0800.

**SITE DATA:**  
 ZONING DATA:  
 EXISTING ZONING CLASSIFICATION:

2014-CVR/CAP-811 – Renderings – Northwest (top) and northeast (bottom)



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Health Sciences Academic and Clinical Facility  
University of Indianapolis  
Indianapolis, Indiana  
26 May 2014 13039



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Health Sciences Academic and Clinical Facility  
University of Indianapolis  
Indianapolis, Indiana  
26 May 2014 13039



2014-CVR/CAP-811 – Shade Study – May 21



May 21 at 5:00 p.m.



May 21 at 7:00 p.m

2014-CVR/CAP-811 – Photographs



1) Subject site from southeast



2) Subject site from west



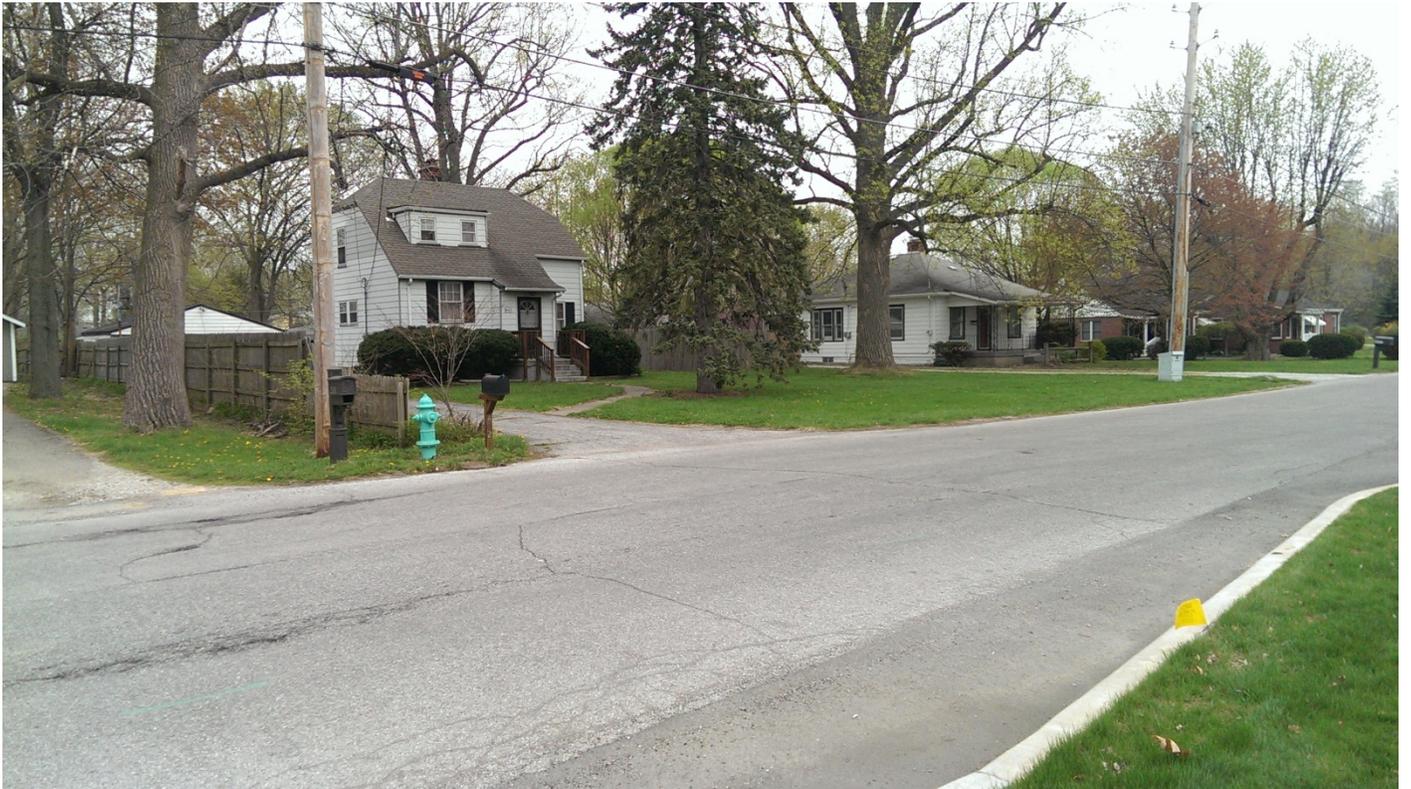
3) Administration building currently on site, from Hanna Avenue



4) Athletic building at primary campus area across Hanna Avenue



5) Single-family dwellings east of the site, across State Avenue



6) Single-family dwellings east of the site, across State Avenue